

**WAC 296-800-099 Definitions.** (1) Abatement action plans. Refers to ~~((your))~~ the employer's written plans for correcting a Washington Industrial Safety and Health Act (WISHA) violation.

(2) Abatement date. The date on the citation ~~((when you))~~ by which the employer must comply with specific safety and health standards listed on the citation and notice of assessment or the corrective notice of redetermination.

(3) Acceptable. As used in Electrical, WAC 296-800-280 means an installation or equipment is acceptable to the director of labor and industries, and approved:

~~((+))~~ (a) If it is accepted, or certified, or listed, or labeled, or otherwise determined to be safe by a nationally recognized testing laboratory; or

~~((+))~~ (b) With respect to an installation or equipment of a kind which no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe, if it is inspected or tested by another federal agency, or by a state, municipal, or other local authority responsible for enforcing occupational safety provisions of the National Electrical Code, and found in compliance with the provisions of the National Electrical Code as applied in this section; or

~~((+))~~ (c) With respect to custom-made equipment or related installations which are designed, fabricated for, and intended for use by a particular customer, if it is determined to be safe for its intended use by its manufacturer on the basis of test data which the employer keeps and makes available for inspection to the director and ~~((his/her))~~ their authorized representatives. Refer to federal regulation 29 C.F.R. 1910.7 for definition of nationally recognized testing laboratory.

(4) Accepted. As used in Electrical, WAC 296-800-280 means an installation is accepted if it has been inspected and found by a nationally recognized testing laboratory to conform to specified plans or to procedures of applicable codes.

(5) Access. As used in safety data sheets (SDSs) as exposure records, WAC 296-901-14014 means the right and opportunity to examine and copy exposure records.

(6) Affected employees. As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means employees exposed to hazards identified as violations in a citation.

(7) Analysis using exposure or medical records.

~~((+))~~ (a) An analysis using exposure records or medical records can be any collection of data or a statistical study. It can be based on either:

~~((-))~~ (i) Partial or complete information from individual employee exposure or medical records; or

~~((-))~~ (ii) Information collected from health insurance claim records.

~~((+))~~ (b) The analysis is not final until it has been:

~~((-))~~ (i) Reported to the employer; or

~~((-))~~ (ii) Completed by the person responsible for the analysis.

(8) ANSI. This is an acronym for the American National Standards Institute.

(9) Approved.

((+)) (a) Approved by the director of the department of labor and industries or their authorized representative, or by an organization that is specifically named in a rule, such as Underwriters' Laboratories (UL), Mine Safety and Health Administration (MSHA), or the National Institute for Occupational Safety and Health (NIOSH).

((+)) (b) As used in Electrical, WAC 296-800-280 means acceptable to the authority enforcing this section. The authority enforcing this section is the director of labor and industries. The definition of acceptable indicates what is acceptable to the director and therefore approved.

(10) **Assistant director.** The assistant director for the ((WISHA services)) division of occupational safety and health (DOSH) at the department of labor and industries or ((his/her)) their designated representative.

(11) **ASTM.** This is an acronym for American Society for Testing and Materials.

(12) **Attachment plug or plug.** As used in the basic electrical rules, WAC 296-800-280 means the attachment at the end of a flexible cord or cable that is part of a piece of electrical equipment. When it is inserted into an outlet or receptacle, it connects the conductors supplying electrical power from the outlet to the flexible cable.

(13) **Bare conductor.** A conductor that does not have any covering or insulation.

(14) **Bathroom.** A room maintained within or on the premises of any place of employment, containing toilets that flush and includes sink for handwashing or handwashing station for use by employees.

(15) **Biological agents.** Organisms or their by-products.

(16) **Board.** As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means the board of industrial insurance appeals.

(17) **Ceiling.** An exposure limit that must not be exceeded during any part of the employee's workday. The ceiling must be determined over the shortest time period feasible and should not exceed ((fifteen)) 15 minutes.

(18) **Certification.** As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means refers to an employer's written statement describing when and how a citation violation was corrected.

(19) **C.F.R.** This is an acronym for Code of Federal Regulations.

(20) **Chemical.** Any element, chemical compound, or mixture of elements and/or compounds.

(21) **Chemical agents (airborne or contact).** A chemical agent is any of the following:

((+)) (a) Airborne chemical agent which is any of the following:

((-)) (i) Dust, solid particles suspended in air, that are created by actions such as:

((+)) (A) Handling.

((+)) (B) Drilling.

((+)) (C) Crushing.

((+)) (D) Grinding.

((+)) (E) Rapid impact.

((+)) (F) Detonation.

((+)) (G) Decrepitation of organic or inorganic materials such as rock, ore, metal, coal, wood, and grain.

((-)) (ii) Fume, solid particles suspended in air, that are created by condensation from the gaseous state.

((-)) (iii) Gas, a normally formless fluid, such as air, which can be changed to the liquid or solid state by the effect of increased pressure or decreased temperature or both.

((-)) (iv) Mist, liquid droplets suspended in air. Mist is created by:

((+) (A) Condensation from the gaseous to the liquid state; or

((+) (B) Converting a liquid into a dispersed state with actions such as splashing, foaming, spraying or atomizing.

((-)) (v) Vapor. The gaseous form of a substance that is normally in the solid or liquid state.

((+) (b) Contact chemical agent which is any of the following:

((-) (i) Corrosive. A substance that, upon contact, causes destruction of living tissue by chemical action, including acids with a pH of 2.5 or below or caustics with a pH of 11.0 or above.

((-) (ii) Irritant. A substance that will induce a local inflammatory reaction upon immediate, prolonged, or repeated contact with normal living tissue.

((-) (iii) Toxicant. A substance that has the inherent capacity to produce personal injury or illness to individuals by absorption through any body surface.

(22) Chemical manufacturer. An employer with a workplace where one or more chemicals are produced for use or distribution.

(23) Chemical name. The scientific designation of a chemical in accordance with one of the following:

((+) (a) The nomenclature system developed by the International Union of Pure and Applied Chemistry (IUPAC).

((+) (b) The Chemical Abstracts Service (CAS) rules of nomenclature.

((+) (c) A name which will clearly identify the chemical for the purpose of conducting a hazard evaluation.

(24) Circuit breaker.

((+) (a) Is a device used to manually open or close a circuit. This device will also open the circuit automatically and without damage to the breaker when a predetermined overcurrent is applied. (600 volts nominal or less.)

((+) (b) Is a switching device capable of making, carrying, and breaking currents under normal circuit conditions, and also making, carrying for a specified time, and breaking currents under specified abnormal circuit conditions, such as those of short circuit. (Over 600 volts nominal.)

(25) Citation. Refers to the citation and notice issued to an employer for any violation of WISHA safety and health rules. A citation and notice may be referred to as a citation and notice of assessment but is more commonly referred to as a citation.

(26) Commercial account. As used in Hazard communication, WAC 296-901-140 means an arrangement in which a retail distributor sells hazardous chemical(s) to an employer, generally in large quantities over time, and/or at costs that are below the regular retail price.

(27) Common name. As used in Hazard communication, WAC 296-901-140 means any designation or identification such as:

((+) (a) Code name.

((+) (b) Code number.

((+) (c) Trade name.

((+) (d) Brand name.

((+) (e) Generic name used to identify a chemical other than by its chemical name.

(28) **Compressed gas.** A gas or mixture of gases that, when in a container, has an absolute pressure exceeding:

((+)) (a) 40 psi at 70°F (21.1°C); or

((+)) (b) 104 psi at 130°F (54.4°C) regardless of the pressure at 70°F (21.1°C).

Compressed gas can also mean a liquid with a vapor pressure that exceeds 40 psi at 100°F (37.8°C).

(29) **Conductor.** Wire that transfers electric power.

(30) **Container.** As used in Hazard communication, WAC 296-901-140 means any container, except for pipes or piping systems, that contains a hazardous chemical. It can be any of the following:

((+)) (a) Bag.

((+)) (b) Barrel.

((+)) (c) Bottle.

((+)) (d) Box.

((+)) (e) Can.

((+)) (f) Cylinder.

((+)) (g) Drum.

((+)) (h) Reaction vessel.

((+)) (i) Storage tank.

(31) **Correction date.** The date by which a violation must be corrected. Final orders or extensions that give additional time to make corrections establish correction dates. A correction date established by an order of the board of industrial insurance appeals remains in effect during any court appeal unless the court suspends the date.

(32) **Corrective notice.** Refers to a notice changing a citation and is issued by the department after a citation has been appealed.

(33) **Corrosive.** A substance that, upon contact, causes destruction of living tissue by chemical action, including acids with a pH of 2.5 or below or caustics with a pH of 11.0 or above.

(34) **Covered conductor.** A conductor that is covered by something else besides electrical insulation.

(35) **Damp location.** As used in basic electrical rules, WAC 296-800-280 means partially protected areas that are exposed to moderate moisture. Outdoor examples include roofed open porches and marquees. Interior examples include basements and barns.

(36) **Department.** Those portions of the department of labor and industries responsible for enforcing the Washington Industrial Safety Act (WISHA).

(37) **Designated representative.**

((+)) (a) Any individual or organization to which an employee gives written authorization.

((+)) (b) A recognized or certified collective bargaining agent without regard to written authorization.

((+)) (c) The legal representative of a deceased or legally incapacitated employee.

(38) **Director.** (~~The director means the~~) Director of the department of labor and industries or their designee.

(39) **Distributor.** A business, other than a chemical manufacturer or importer, that supplies hazardous chemicals to other distributors or to employers.

(40) **Documentation.** As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means material that (~~you~~) the employer must submit to prove that a correction is completed. Documentation includes, but is not limited to, photographs, receipts for materials and/or labor.

(41) **Dry location.** As used in basic electrical rules, WAC 296-800-280 means areas not normally subjected to damp or wet conditions. Dry locations may become temporarily damp or wet, such as when constructing a building.

(42) **Dust.** Solid particles suspended in air that are created by actions such as:

- ((+)) (a) Handling.
- ((+)) (b) Drilling.
- ((+)) (c) Crushing.
- ((+)) (d) Grinding.
- ((+)) (e) Rapid impact.
- ((+)) (f) Detonation.

((+)) (g) Decrepitation of organic or inorganic materials such as rock, ore, metal, coal, wood, and grain.

(43) **Electrical outlets.** Places on an electric circuit where power is supplied to equipment through receptacles, sockets, and outlets for attachment plugs.

(44) **Emergency washing facilities.** Emergency washing facilities are emergency showers, eyewashes, eye/face washes, hand-held drench hoses, or other similar units.

(45) **Employee.** Based on chapter 49.17 RCW, the term employee and other terms of like meaning, unless the context of the provision containing such term indicates otherwise, means an employee of an employer who is employed in the business of (~~his or her~~) their employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is personal labor for an employer under this standard whether by way of manual labor or otherwise.

(46) **Employee exposure record.** As used in safety data sheets (SDSs) as exposure records, WAC 296-901-14014 means a record containing any of the following kinds of information:

((+)) (a) Environmental (workplace) monitoring or measuring of a toxic substance or harmful physical agent, including personal, area, grab, wipe, or other form of sampling, as well as related collection and analytical methodologies, calculations, and other background data relevant to interpretation of the results obtained;

((+)) (b) Biological monitoring results which directly assess the absorption of a toxic substance or harmful physical agent by body systems (e.g., the level of a chemical in the blood, urine, breath, hair, fingernails, etc.) but not including results which assess the biological effect of a substance or agent or which assess an employee's use of alcohol or drugs;

((+)) (c) Safety data sheets indicating that the material may pose a hazard to human health; or

((+)) (d) In the absence of the above, a chemical inventory or any other record which reveals where and when used and the identity (e.g., chemical, common or trade name) of a toxic substance or harmful physical agent.

(47) **Employer.** Based on chapter 49.17 RCW, an employer is any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees or who contracts with one or more persons, the essence of which is the personal labor of such person or persons and includes the state, counties, cities, and all municipal corporations, public corporations, political subdivisions of the state, and charitable organiza-

tions: Provided, That any persons, partnership, or business entity not having employees, and who is covered by the Industrial Insurance Act must be considered both an employer and an employee.

(48) **Exit.** Provides a way of travel out of the workplace.

(49) **Exit route.** A continuous and unobstructed path of exit travel from any point within a workplace to safety outside.

(50) **Explosive.** A chemical that causes a sudden, almost instant release of pressure, gas, and heat when exposed to a sudden shock, pressure, or high temperature.

(51) **Exposed live parts.** Electrical parts that are:

((\*) (a) Not suitably guarded, isolated, or insulated; and

((\*) (b) Capable of being accidentally touched or approached closer than a safe distance.

(52) **Exposed wiring methods.** Involve working with electrical wires that are attached to surfaces or behind panels designed to allow access to the wires.

(53) **Exposure or exposed.** As used in Hazard communication, WAC 296-901-140 and safety data sheets (SDSs) as exposure records, WAC 296-901-14014. An employee has been, or may have possibly been, subjected to a hazardous chemical, toxic substance or harmful physical agent while working. An employee could have been exposed to hazardous chemicals, toxic substances, or harmful physical agents in any of the following ways:

((\*) (a) Inhalation.

((\*) (b) Ingestion.

((\*) (c) Skin contact.

((\*) (d) Absorption.

((\*) (e) Related means.

The terms exposure and exposed only cover workplace exposure involving a toxic substance or harmful physical agent in the workplace different from typical nonoccupational situations in the way it is:

((\*) (i) Used.

((\*) (ii) Handled.

((\*) (iii) Stored.

((\*) (iv) Generated.

((\*) (v) Present.

(54) **Exposure record.** See definition for employee exposure record.

(55) **Extension ladder.** A portable ladder with ((2)) two or more sections and is not self-supporting. The ((2)) two or more sections travel in guides or brackets that let you change the length. The size of a portable ladder is determined by adding together the length of each section.

(56) **Failure-to-abate.** Any violation(s) resulting from not complying with an abatement date.

(57) **Final order.** Any of the following (unless an employer or other party files a timely appeal):

((\*) (a) Citation and notice;

((\*) (b) Corrective notice;

((\*) (c) Decision and order from the board of industrial insurance appeals;

((\*) (d) Denial of petition for review from the board of industrial insurance appeals; or

((\*) (e) Decision from a Washington State superior court, court of appeals, or the state supreme court.

(58) **Final order date.** The date a final order is issued.

(59) First aid. The extent of treatment you would expect from a person trained in basic first aid, using supplies from a first-aid kit.

Tests, such as X-rays, must not be confused with treatment.

(60) Flammable. A chemical covered by one of the following categories:

((+)) (a) Aerosol flammable means a flammable aerosol as defined by WAC 296-901-14024, Appendix B—Physical hazard criteria;

((+)) (b) Gas, flammable means:

((-)) (i) A gas that, at temperature and pressure of the surrounding area, forms a flammable mixture with air at a concentration of 13% by volume or less; or

((-)) (ii) A gas that, at temperature and pressure of the surrounding area, forms a range of flammable mixtures with air wider than 12% by volume, regardless of the lower limit.

((+)) (c) Liquid, flammable means any liquid having a flashpoint at or below 199.4°F (93°C). Flammable liquids are divided into four categories as follows:

((-)) (i) Category 1 must include liquids having flashpoints below 73.4°F (23°C) and having a boiling point at or below 95°F (35°C).

((-)) (ii) Category 2 must include liquids having flashpoints below 73.4°F (23°C) and having a boiling point above 95°F (35°C).

((-)) (iii) Category 3 must include liquids having flashpoints at or above 73.4°F (23°C) and at or below 140°F (60°C). When a Category 3 liquid with a flashpoint at or above 100°F (37.8°C) is heated for use to within 30°F (16.7°C) of its flashpoint, it must be handled in accordance with the requirements for a Category 3 liquid with a flashpoint below 100°F (37.8°C).

((-)) (iv) Category 4 must include liquids having flashpoints above 140°F (60°C) and at or below 199.4°F (93°C). When a Category 4 flammable liquid is heated for use to within 30°F (16.7°C) of its flashpoint, it must be handled in accordance with the requirements for a Category 3 liquid with a flashpoint at or above 100°F (37.8°C).

((-)) (v) When liquid with a flashpoint greater than 199.4°F (93°C) is heated for use to within 30°F (16.7°C) of its flashpoint, it must be handled in accordance with the requirements for a Category 4 flammable liquid.

((+)) (d) Solid, flammable means a solid, other than a blasting agent or explosive as defined in 29 C.F.R. 1910.109(a), that is likely to cause fire through friction, moisture absorption, spontaneous chemical change, or retained heat from manufacturing or processing, or which can be ignited readily. Solid, inflammable also means that when the substance is ignited, it burns so powerfully and persistently that it creates a serious hazard. A chemical must be considered to be a flammable solid if, when tested by the method described in 16 C.F.R. 1500.44, it ignites and burns with a self-sustained flame at a rate greater than one-tenth of an inch per second along its major axis.

(61) Flashpoint. ((+)) The minimum temperature at which a liquid gives off a vapor within a test vessel in sufficient concentration to form an ignitable mixture with air near the surface of the liquid and must be determined as follows:

((-)) The flashpoint of liquids having a viscosity less than 45 Saybolt Universal Second(s) at 100°F (37.8°C) and a flashpoint below 175°F (79.4°C) must be determined in accordance with the Standard Method of Test for Flash Point by the Tag Closed Tester, ASTM D-56-69,

or an equivalent method as defined by WAC 296-901-14024, Appendix B—Physical hazard criteria.

**(62) Flexible cords and cables.** Typically used to connect electrical equipment to an outlet or receptacle. These cords can have an attachment plug to connect to a power source or can be permanently wired into the power source. Flexible cords, extension cords, cables and electrical cords are all examples of flexible cord.

**(63) Foreseeable emergency.** As used in Hazard communication, WAC 296-901-140 means any potential event that could result in an uncontrolled release of a hazardous chemical into the workplace. Examples of foreseeable emergencies include equipment failure, rupture of containers, or failure of control equipment.

**(64) Fume.** Solid particles suspended in air that are created by condensation from the gaseous state.

**(65) Gas.** A normally formless fluid, such as air, which can be changed to the liquid or solid state by the effect of increased pressure or decreased temperature or both.

**(66) Ground.** As used in Electrical, WAC 296-800-280, a connection between an electrical circuit or equipment and the earth or other conducting body besides the earth. This connection can be intentional or accidental.

**(67) Grounded.** A connection has been made between an electrical circuit or equipment and the earth or another conducting body besides the earth.

**(68) Grounded conductor.** A system or circuit conductor that is intentionally grounded.

**(69) Ground-fault circuit-interrupter.** A device whose function is to interrupt the electric circuit to the load when a fault current to ground exceeds some predetermined value that is less than that required to operate the overcurrent protective device of the supply circuit.

**(70) Grounding conductor.** Is used to connect equipment or the grounded circuit of a wiring system to a grounding electrode or electrodes.

**(71) Grounding conductor, equipment.** A conductor used to connect noncurrent-carrying metal parts of equipment, raceways, and other enclosures to the system grounded conductor and/or the grounding electrode conductor at the service equipment or at the source of a separately derived system.

**(72) Guarded.** Covered, shielded, fenced, enclosed, or otherwise protected by means of suitable covers, casings, barriers, rails, screens, mats, or platforms to remove the likelihood of being accidentally touched or approached closer than a safe distance.

**(73) Hand-held drench hoses.** Hand-held drench hoses are single-headed emergency washing devices connected to a flexible hose that can be used to irrigate and flush the face or other body parts.

**(74) Handrail.** A rail used to provide employees with a handhold for support.

**(75) Harmful physical agent.** Any physical stress such as noise, vibration, repetitive motion, heat, cold, ionizing and nonionizing radiation, and hypo- or hyperbaric pressure which:

(\*) **(a)** Is listed in the latest edition of the National Institute for Occupational Safety and Health (NIOSH) *Registry of Toxic Effects of Chemical Substances* (RTECS); or

(\*) **(b)** Has shown positive evidence of an acute or chronic health hazard in testing conducted by, or known to, the employer; or



((\*) (c) Is the subject of a safety data sheet kept by or known to the employer showing that the material may pose a hazard to human health.

(76) **Hazard.** Any condition, potential or inherent, which can cause injury, death, or occupational disease.

(77) **Hazard warning.** As used in Hazard communication, WAC 296-901-140 can be a combination of words, pictures, symbols, or combination appearing on a label or other appropriate form of warning which shows the specific physical and health hazard(s), including target organ effects, of the chemical(s) in the container(s).

**Note:** See definition for physical hazard and health hazard to determine which hazards must be covered.

(78) **Hazardous chemical.** Any chemical that is a physical or health hazard.

(79) **Health hazard.** A chemical, mixture, biological agent, or physical agent that may cause health effects in short- or long-term exposed employees. Based on statistically significant evidence from at least one study conducted using established scientific principles. Health hazards include:

((\*) (a) Carcinogens.

((\*) (b) Toxic or highly toxic agents.

((\*) (c) Reproductive toxins.

((\*) (d) Irritants.

((\*) (e) Corrosives.

((\*) (f) Sensitizers.

((\*) (g) Hepatotoxins (liver toxins).

((\*) (h) Nephrotoxins (kidney toxins).

((\*) (i) Neurotoxins (nervous system toxins).

((\*) (j) Substances that act on the hematopoietic system (blood or blood-forming system).

((\*) (k) Substances that can damage the lungs, skin, eyes, or mucous membranes.

((\*) (l) Hot or cold conditions.

(80) **Hole.** A gap or ~~((void))~~ open space in a floor, roof, horizontal walking-working surface, or similar surface that is at least two inches ~~((or more))~~ (5 cm) in its least dimension ~~((, in a floor, roof, or other surface))~~.

(81) **Identity.** As used in Hazard communication, WAC 296-901-140 means any chemical or common name listed on the safety data sheet (SDS) for the specific chemical. Each identity used must allow cross-references among the:

((\*) (a) Required list of hazardous chemicals.

((\*) (b) Chemical label.

~~((MSDSs))~~ (c) Safety data sheets (SDS) .

(82) **Imminent danger violation.** Any violation(s) resulting from conditions or practices in any place of employment, which are such that a danger exists which could reasonably be expected to cause death or serious physical harm, immediately or before such danger can be eliminated through the enforcement procedures otherwise provided by the Washington Industrial Safety and Health Act.

(83) **Importer.** The first business within the Customs Territory of the USA that:

((\*) (a) Receives hazardous chemicals produced in other countries; and

((\*) (b) Supplies them to distributors or employers within the USA.

(84) **Inpatient hospitalization.** To be admitted into a hospital or equivalent facility for medical treatment.

(85) **Insulated.** A conductor has been completely covered by a material that is recognized as electrical insulation and is thick enough based on:

((+)) (a) The amount of voltage involved; and

((+)) (b) The type of covering material.

(86) **Interim waiver.** An order granted by the department allowing an employer to vary from WISHA requirements until the department decides to grant a permanent or temporary waiver.

(87) **Irritant.** A substance that will induce a local inflammatory reaction upon immediate, prolonged, or repeated contact with normal living tissue.

(88) **Ladder.** (~~Consists of 2 side rails joined at regular intervals by crosspieces called steps,~~) A device with rungs, steps, or cleats (~~These steps are~~) used to (~~climb up or down~~) gain access to a different elevation.

(89) **Listed.** Equipment is listed if it:

((+)) (a) Is listed in a publication by a nationally recognized laboratory (such as UL, underwriters laboratory) that inspects the production of that type of equipment; and

((+)) (b) States the equipment meets nationally recognized standards or has been tested and found safe to use in a specific manner.

(90) **Medical treatment.** Treatment provided by a physician or by registered professional personnel under the standing orders of a physician. Medical treatment does not include first-aid treatment even if provided by a physician or registered professional personnel.

(91) **Mist.** Liquid droplets suspended in air. Mist is created by:

((+)) (a) Condensation from the gaseous to the liquid state; or

((+)) (b) Converting a liquid into a dispersed state with actions such as splashing, foaming, spraying or atomizing.

(92) **Mixture.** As used in Hazard communication, WAC 296-901-140, any combination of ((2)) two or more chemicals (if that combination did not result from a chemical reaction).

(93) **Movable equipment.** As used in WAC 296-800-35052, a hand-held or nonhand-held machine or device;

((+)) (a) That is powered or nonpowered; and

((+)) (b) Can be moved within or between worksites.

(94) **Must.** Mandatory.

(95) **NEMA.** These initials stand for National Electrical Manufacturing Association.

(96) **NFPA.** This is an acronym for National Fire Protection Association.

(97) **Nose, nosing.** ((The)) That portion of ((the stair)) a tread ((that projects over)) projecting beyond the face of the riser immediately below ((it)).

(98) **Occupational Safety and Health Administration (OSHA).** Created in 1970 when the U.S. Congress passed the Occupational Safety and Health Act, the Occupational Safety and Health Administration (OSHA) provides safety on the job for workers. OSHA oversees state plans (such as WISHA in Washington) that have elected to administer the safety and health program for their state. OSHA requires WISHA rules to be at least as effective as OSHA rules.

(99) **Office work environment.** An indoor or enclosed occupied space where clerical work, administration, or business is carried out. In addition, it includes:

((+)) (a) Other workplace spaces controlled by the employer and used by office workers, such as cafeterias, meeting rooms, and washrooms.

((+)) (b) Office areas of manufacturing and production facilities, not including process areas.

((+)) (c) Office areas of businesses such as food and beverage establishments, agricultural operations, construction, commercial trade, services, etc.

(100) Open riser. (~~(A stair step with an air)~~) The gap or space between treads ((has an open)) of stairways that do not have upright or inclined members (risers).

(101) Opening. A gap or (~~(void thirty))~~ open space in a wall, partition, vertical walking-working surface, or similar surface that is at least 30 inches (76 cm) ((or more)) high and ((eighteen)) at least 18 inches ((48)) 46 cm ((or more)) wide, ((in a wall or partition,)) through which an employee((s)) can fall to a lower level.

(102) Organic peroxide. This is an organic compound containing the bivalent-O-O-structure. It may be considered a structural derivative of hydrogen peroxide if one or both of the hydrogen atoms has been replaced by an organic radical.

(103) Outlet. See definition for electrical outlets.

(104) Oxidizer. A chemical other than a blasting agent or explosive as defined in WAC 296-52-60130 or C.F.R. 1910.109(a), that starts or promotes combustion in other materials, causing fire either of itself or through the release of oxygen or other gases.

(105) Permissible exposure limits (PELs). Permissible exposure limits (PELs) are employee exposures to toxic substances or harmful physical agents that must not be exceeded. PELs are specified in applicable WISHA rules.

(106) Person. Based on chapter 49.17 RCW, one or more individuals, partnerships, associations, corporations, business trusts, legal representatives, or any organized group of persons.

(107) Personal eyewash units. Personal eyewash units are portable, supplementary units that support plumbed units or self-contained units, or both, by delivering immediate flushing for less than (~~((fifteen))~~) 15 minutes.

(108) Personal service room. Used for activities not directly connected with a business' production or service function such as:

- ((+)) (a) First aid.
- ((+)) (b) Medical services.
- ((+)) (c) Dressing.
- ((+)) (d) Showering.
- ((+)) (e) Bathrooms.
- ((+)) (f) Washing.
- ((+)) (g) Eating.

(109) Personnel. See the definition for employees.

(110) Physical hazard. Means a chemical that is classified as posing one of the following hazardous effects: Explosive; flammable (gases, aerosols, liquids, or solids); oxidizer (liquid, solid or gas); self-reactive; pyrophoric (liquid or solid); self-heating; organic peroxide; corrosive to metal; gas under pressure; or in contact with water emits flammable gas. WAC 296-901-14024, Appendix B—Physical hazard criteria.

(111) Platform. A (~~(work))~~ walking-working surface that is elevated above the surrounding ((floor or ground)) area.

(112) Plug. See definition for attachment plug.

(113) **Potable water.** Water that is suitable for drinking by the public and meets the requirements of chapter 246-290 or 246-291 WAC.

(114) **Predictable and regular basis.** Employee functions such as, but not limited to, inspection, service, repair and maintenance which are performed:

((\*) (a) At least once every ((2)) two weeks; or

((\*) (b) Four man-hours or more during any sequential ((4)) four-week period (to calculate man-hours multiply the number of employees by the number of hours during a ((4)) four-week period).

(115) **Produce.** As used in Hazard communication, WAC 296-901-140, any one of the following:

((\*) (a) Manufacture.

((\*) (b) Process.

((\*) (c) Formulate.

((\*) (d) Blend.

((\*) (e) Extract.

((\*) (f) Generate.

((\*) (g) Emit.

((\*) (h) Repackage.

(116) **Purchaser.** As used in Hazard communication, WAC 296-901-140, an employer who buys one or more hazardous chemicals to use in their workplace.

(117) **Pyrophoric.** A chemical is pyrophoric if it will ignite spontaneously in the air when the temperature is 130°F (54.4°C) or below.

(118) **Qualified person.** A person who ~~((has successfully demonstrated the ability to solve problems relating to the subject matter, work, or project, either by:~~

~~\*)~~), by possession of a recognized degree, certificate, or professional standing; or ((\*) by extensive knowledge, training and experience has successfully demonstrated the ability to solve or resolve problems relating to the subject matter, the work, or the project.

(119) **Railing ((or standard railing)).** A vertical barrier erected along exposed ((edges)) sides of ~~((a floor opening, wall opening, ramp,))~~ stairways and platforms ((, or runway)) to prevent falls of persons. The top member of railing usually serves as a handrail.

(120) **Reassume jurisdiction.** The department has decided to take back its control over a citation and notice being appealed.

(121) **Receptacle or receptacle outlet.** As used in basic electrical rules, WAC 296-800-280 means outlets that accept a plug to supply electric power to equipment through a cord or cable.

(122) **Record.** A record is any item, collection, or grouping of information. Examples include:

((\*) (a) Paper document.

((\*) (b) Microfiche.

((\*) (c) Microfilm.

((\*) (d) X-ray film.

((\*) (e) Computer record.

(123) **Refuge area.**

((\*) (a) A protected space along an exit route that is separated from other spaces inside the building by a barrier with at least a one-hour fire resistance rating; or

((\*) (b) A floor in a building with an automatic sprinkler system that has at least two spaces that are separated by smoke-resistant partitions. See WAC 296-24-607 for requirements for automatic sprinkler systems.

(124) **Repeat violation.** A violation is a repeat violation if the employer has been cited one or more times previously for a substantially similar hazard.

(125) **Responsible party.** As used in Hazard communication, WAC 296-901-140. Someone who can provide appropriate information about the hazardous chemical and emergency procedures.

(126) **Representative.** The person selected to act in behalf of the employee or employer.

(127) **Rise.** The vertical distance from the top of a tread to the top of the next higher tread.

(128) **Riser.** ~~The ((vertical part of the step at the back of a tread that rises to the front of the tread above))~~ upright (vertical) or inclined member of a stair that is located at the back of a stair tread or platform and connects close to the front edge of the next higher tread, platform, or landing.

(129) **Rung(s), step, or cleat.** ~~((Rungs are))~~ The cross piece((s on)) of a ladder((s that are used)) on which an employee steps to climb up and down((-the ladder)).

(130) **Runway.** ~~((A passageway for persons,))~~ An elevated ((above the surrounding floor or ground level)) walking-working surface, such as a catwalk, a footwalk along shafting, or ((a)) an elevated walkway between buildings.

(131) **Safety data sheet (SDS).** Written, printed, or electronic information (on paper, microfiche, or on-screen) that informs manufacturers, distributors, employers or employees about a hazardous chemical, its hazards, and protective measures as required by safety data sheet and label preparation, WAC 296-901-140.

(132) **Safety factor.** The term safety factor means the ratio of when something will break versus the actual working stress or safe load when it is used.

(133) **Self-lighting or self-luminous.** A light source that:

((+)) (a) Is illuminated by a self-contained power source other than batteries; and

((+)) (b) Operates independently from external power sources.

(134) **Serious violation.** Serious violation must be deemed to exist in a workplace if there is a substantial probability that death or serious physical harm could result from a condition which exists, or from one or more practices, means, methods, operations, or processes which have been adopted or are in use in such workplace, unless the employer did not, and could not with the exercise of reasonable diligence, know of the presence of the violation.

(135) **Short-term exposure limit (STEL).** An exposure limit, averaged over a short time period (usually measured for 15 minutes) that must not be exceeded during any part of an employee's workday.

~~((Should. Should means recommended.))~~

(136) **Single ladder.** A type of portable ladder with one section.

It is distinguished by all of the following:

((+)) (a) It has one section.

((+)) (b) It cannot support itself.

((+)) (c) Its length cannot be adjusted.

(137) **Smoking.** A person is smoking if they are:

((+)) (a) Lighting up.

((+)) (b) Inhaling.

((+)) (c) Exhaling.

((+)) (d) Carrying a pipe, cigar or cigarette of any kind that is burning.

(138) Specific chemical identity. This term applies to chemical substances. It can mean the:

((\*) (a) Chemical name.

((\*) (b) Chemical Abstracts Service (CAS) registry number.

((\*) (c) Any other information that reveals the precise chemical designation of the substance.

(139) Stair platform. An extended step or landing breaking a continuous run of stairs.

(140) Stair ((railing)) rail or stair rail system. A ((vertical)) barrier ((attached to a)) erected along the exposed or open side of stairways ((with an open side)) to prevent ((falls)) employees from falling to a lower level. ((The top surface of the stair railing is used as a handrail.

~~Stairs or stairway.~~ A series of steps and landings:

~~• Leading from one level or floor to another.~~

~~• Leading to platforms, pits, boiler rooms, crossovers, or around machinery, tanks, and other equipment.~~

~~• Used more or less continuously or routinely by employees, or only occasionally by specific individuals.~~

~~• With three or more risers.)~~

(141) Stairway (stairs). Risers and treads that connect one level with another, and includes any landings and platforms in between those levels. Stairways include standard, spiral, alternating tread-type, and ship stairs.

(142) Standard safeguard. Safety devices that prevent hazards by their attachment to:

((\*) (a) Machinery.

((\*) (b) Appliances.

((\*) (c) Tools.

((\*) (d) Buildings.

((\*) (e) Equipment.

These safeguards must be constructed of:

((\*) (i) Metal.

((\*) (ii) Wood.

((\*) (iii) Other suitable materials.

The department makes the final determination about whether a safeguard is sufficient for its use.

(143) Standard stairs. A fixed or permanently installed stairway. Ship, spiral, and alternating tread-type stairs are not considered standard stairs.

(144) Step ladder. A portable ladder with:

((\*) (a) Flat steps.

((\*) (b) A hinge at the top allowing the ladder to fold out and support itself.

((\*) (c) Its length that cannot be adjusted.

(145) Time weighted average (TWA<sub>8</sub>). An exposure limit, averaged over ((8)) eight hours, that must not be exceeded during an employee's work shift.

(146) Toeboard. A ((vertical barrier at floor level erected along all open sides or edges of a floor opening, platform, runway, ramp, or other walking/working surface)) low protective barrier that is designed to prevent materials, tools, ((or debris)) and equipment from falling ((onto persons passing through or working in the area below)) to a lower level, and protect employees from falling.

(147) **Toxic chemical.** As used in first aid, WAC 296-800-150, is a chemical that produces serious injury or illness when absorbed through any body surface.

(148) **Toxic substance.** Any chemical substance or biological agent, such as bacteria, virus, and fungus, which is any of the following:

((\*) (a) Listed in the latest edition of the National Institute for Occupational Safety and Health (NIOSH) *Registry of Toxic Effects of Chemical Substances* (RTECS).

((\*) (b) Shows positive evidence of an acute or chronic health hazard in testing conducted by, or known to, the employer.

((\*) (c) The subject of a safety data sheet kept by or known to the employer showing the material may pose a hazard to human health.

(149) **Toxicant.** A substance that has the inherent capacity to produce personal injury or illness to individuals by absorption through any body surface.

(150) **Trade secret.** Any confidential:

((\*) (a) Formula.

((\*) (b) Pattern.

((\*) (c) Process.

((\*) (d) Device.

((\*) (e) Information.

((\*) (f) Collection of information.

The trade secret is used in an employer's business and gives an opportunity to gain an advantage over competitors who do not know or use it.

See WAC 296-901-14018 for requirements dealing with trade secrets.

(151) **Tread.** (~~As used in stairs and stair railings, WAC 296-800-250 means the~~) A horizontal ((part)) member of ((the)) a stair ((step)) or stairway, but does not include landings or platforms.

(152) **Tread run.** As used in stairs and stair railings, WAC 296-800-250 means the distance from the front of one stair tread to the front of an adjacent tread.

(153) **Tread width.** The distance from front to rear of the same tread including the nose, if used.

(154) **UL (Underwriters' Laboratories, Inc.).** ((You)) Employers and employees will find these initials on electrical cords and equipment. The initials mean the cord or equipment meets the standards set by the Underwriters' Laboratories, Inc.

(155) **Unstable (reactive).** As used in Hazard communication, WAC 296-901-140. An unstable or reactive chemical is one that in its pure state, or as produced or transported, will vigorously polymerize, decompose, condense, or will become self-reactive under conditions of shocks, pressure or temperature.

~~((Use. As used in Hazard communication, WAC 296-901-140, means to:~~

- ~~• Package.~~
- ~~• Handle.~~
- ~~• React.~~
- ~~• Emit.~~
- ~~• Extract.~~
- ~~• Generate as a by-product.~~
- ~~• Transfer.)~~

(156) **Vapor.** The gaseous form of a substance that is normally in the solid or liquid state.

(157) Voltage of a circuit. The greatest effective potential difference between any two conductors or between a conductor and ground.

(158) Voltage to ground. The voltage between a conductor and the point or conductor of the grounded circuit. For undergrounded circuits, it is the greatest voltage between the conductor and any other conductor of the circuit.

(159) Voltage, nominal. Nominal voltage is a value assigned to a circuit or system to designate its voltage class (120/240, 480Y/277, 600, etc.). The actual circuit voltage can vary from the value if it is within a range that permits the equipment to continue operating in a satisfactory manner.

(160) WAC. This is an acronym for Washington Administrative Code, which are rules developed to address state law.

(161) Water-reactive. As used in Hazard communication, WAC 296-901-140, a water-reactive chemical reacts with water to release a gas that is either flammable or presents a health hazard.

(162) Watertight. Constructed so that moisture will not enter the enclosure or container.

(163) Weatherproof. Constructed or protected so that exposure to the weather will not interfere with successful operation. Rainproof, raintight, or watertight equipment can fulfill the requirements for weatherproof where varying weather conditions other than wetness, such as snow, ice, dust, or temperature extremes, are not a factor.

(164) Wet location. As used in basic electrical rules, WAC 296-800-280 means:

((+)) (a) Underground installations or in concrete slabs or masonry that are in direct contact with the earth.

((+)) (b) Locations that can be saturated by water or other liquids.

((+)) (c) Unprotected locations exposed to the weather (like vehicle washing areas).

(165) WISHA. This is an acronym for the Washington Industrial Safety and Health Act.

(166) Work area. As used in Hazard communication, WAC 296-901-140, a room or defined space in a workplace where hazardous chemicals are produced or used, and where employees are present.

(167) Worker. See the definition for employee.

(168) Working days. Means a calendar day, except Saturdays, Sundays, and legal holidays. Legal holidays include:

((+)) (a) New Year's Day - January 1;

((+)) (b) Martin Luther King, Jr. Day;

((+)) (c) Presidents' Day;

((+)) (d) Memorial Day;

((+)) (e) Juneteenth - June 19;

(f) Independence Day - July 4;

((+)) (g) Labor Day;

((+)) (h) Veterans' Day - November 11;

((+)) (i) Thanksgiving Day;

((+)) (j) The day after Thanksgiving Day; and

((+)) (k) Christmas Day - December 25.

The number of working days must be calculated by not counting the first working day and counting the last working day.

(169) Workplace.

~~((+)) The term workplace means:~~

-)) (a) Any plant, yard, premises, room, or other place where an employee or employees are employed for the performance of labor or service over which the employer has the right of access or control,



and includes, but is not limited to, all workplaces covered by industrial insurance under Title 51 RCW, as now or hereafter amended.

~~((-))~~ (b) As used in Hazard communication, WAC 296-901-140 means an establishment, job site, or project, at one geographical location containing one or more work areas.

~~((You. See definition of employer.~~

~~**Your representative.** Your representative is the person selected to act in your behalf.))~~

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-100 Introduction. The safety and health core rules:** ~~((Your))~~ **Employers foundation for a safe and healthful workplace.** This ~~((book))~~ standard contains basic safety and health rules that affect all employers and should cover almost everything small, nonmanufacturing employers need for a safe and healthful workplace. These core rules include requirements for ~~((your))~~ an employer's accident prevention program, personal protective equipment, first aid, and basic electrical rules.

Note: You may need to comply with other safety and health rules. For a complete list of these rules go to ~~((http://www.lni.wa.gov/Safety/Rules/Find/RuleName/))~~ <https://lni.wa.gov/safety-health/safety-rules/find-safety-rules/>.

(1) What are L&I, WISHA and DOSH?

The department of labor and industries (L&I) is a state agency that provides many different services:

~~((+))~~ (a) The division of occupational safety and health (DOSH) is responsible for workplace safety and health, including inspections and enforcement, consultation, technical assistance, training, education and grants.

~~((+))~~ (b) Workers' compensation (or industrial insurance), including claims management, rate setting, medical payments, and research.

~~((+))~~ (c) Specialty compliance services, including contractor registration, electrical inspections, boiler and elevator inspections, apprenticeship programs and employment standards.

Many of these services are available from L&I's regional offices. Go to this website for the most current list. ~~((http://www.lni.wa.gov/Main/ContactInfo/OfficeLocations/))~~ <https://www.lni.wa.gov/>.

In 1973, the legislature passed the Washington Industrial Safety and Health Act (WISHA) see Revised Code of Washington (chapter 49.17 RCW). WISHA requires employers to provide safe and healthful workplaces for all employees. It gives L&I/DOSH the responsibility to establish and enforce workplace safety and health rules. These rules are the Washington Administrative Code (WAC).

(2) How does DOSH work?

The Washington Industrial Safety and Health Act (WISHA) covers nearly all employers and employees in Washington, including employees who work for the state, counties, and cities. L&I inspectors within DOSH enforce safety and health rules by inspecting workplaces without advance notice including investigations of work-related deaths, inju-

ries, and employees' complaints. When DOSH inspectors find a violation in a workplace, they issue a citation to the employer and a penalty may be attached. If ~~((you))~~ employers have questions about whether ~~((you are))~~ covered by WISHA, call 1-800-4BE SAFE (1-800-423-7233) or a local office of L&I. [http://www.lni.wa.gov/Main/ContactInfo/OfficeLocations\(+\)](http://www.lni.wa.gov/Main/ContactInfo/OfficeLocations(+)).

**(3) What is OSHA and its relationship to DOSH?**

The U.S. Congress created the Occupational Safety and Health Administration (OSHA) in 1971 to develop and enforce workplace safety and health rules throughout the country. States may choose to run their own safety and health programs as long as they are at least as effective as OSHA. Washington state has chosen to run its own program and most employers in the state, therefore, are subject to enforcement by L&I and not by federal OSHA.

In Washington state, OSHA covers workplaces with federal employees, nonfederal employees working on federal reservations and military bases, employees working on floating worksites (floating dry docks, fishing boats, construction barges), and employees working for tribal employers on tribal lands.

**(4) Does WISHA apply (~~((to you))~~)?**

WISHA applies to almost every employer and employee in Washington. WISHA applies ~~((to you))~~ if:

~~((You))~~ (a) Employers hire someone to work ~~((for you))~~ as an employee, including workers from a temporary agency.

~~((You are))~~ (b) A person is hired to work for someone as their employee.

~~((You))~~ (c) A person owns ~~((your own))~~ a business or ~~((you))~~ are a corporate officer and have elected to have industrial insurance coverage ~~((for yourself))~~.

~~((You have))~~ (d) A person has a contract with someone else that primarily involves personal labor, even though ~~((you are))~~ the hiring person is not required to pay industrial insurance or unemployment insurance premiums.

~~((You))~~ (e) A person volunteers ~~((your))~~ personal labor ~~((, or you have))~~.

(f) A person or employer has volunteers working ~~((for you))~~ who receive any benefit or compensation.

If ~~((you))~~ employers or employees have any questions about ~~((your))~~ a particular situation, call **1-800-4BE SAFE (1-800-423-7233)** or contact your local office of L&I for help. [http://www.lni.wa.gov/Main/ContactInfo/OfficeLocations\(+\)](http://www.lni.wa.gov/Main/ContactInfo/OfficeLocations(+)).

**(5) Are there other safety and health rules (~~((I))~~) employers need to know about?**

In addition to the rules in the DOSH *Safety and Health Core Rules* ~~((book))~~, there are other general safety and health rules that may apply to employers, depending upon the industry and workplace activities. See this website for a complete list of safety and health rules administered by L&I. (~~((http://www.lni.wa.gov/Safety/Rules/Find/RuleName+))~~) <https://lni.wa.gov/safety-health/safety-rules/find-safety-rules/>. ~~((If you have))~~ For questions about these rules call 1-800-4BE SAFE (1-800-423-7233) or ~~((your))~~ the local office of L&I.

**(6) How do the safety and health rules relate to fire, building and electrical codes?**

Fire codes: Safety and health rules contain basic requirements for portable fire extinguishers, exit routes, housekeeping, storage, stairs and electrical hazards for the protection of employees in your workplace. The rules contained in this ~~((book))~~ standard are the most

basic requirements to make sure that ((as)) an employer ((you)) provides a safe and healthy work environment. However, these are not the only rules regarding the requirements for portable fire extinguishers, exit routes, housekeeping, storage, stairs and electrical equipment. The fire marshal and local fire authorities enforce the Uniform Fire Code (UFC). DOSH and UFC differ in some areas, for example UFC requires exit sign lettering to be 6" or more and WISHA only states that the letters have to be clearly visible. Fire codes have more detailed and extensive requirements for the protection of the public than DOSH. Some codes overlap with DOSH requirements.

Building and electrical codes: WISHA rules are minimum requirements regardless of when the building was built or remodeled. Buildings must also comply with building and electrical codes at the time of construction. If ((you-remodel)) remodeling, ((you)) an employer must comply with the building and electrical codes applicable at that time. Building authorities and electrical inspection authorities enforce rules from the Uniform Building Code (UBC), and the National Electrical Code (NEC).

((You)) Employers are encouraged to call ((your)) the local fire, building or electrical authority. For more information on the requirements in ((your)) the area, look ((in-the)) up the requirements of your local government ((section of your phone book. Copies of these codes are available at your local library)) or authorities.

#### **(7) How can DOSH help employers and employees?**

Employers can ask DOSH safety and health consultation staff for free, confidential consulting services in your workplace. DOSH safety and health professionals can examine ((your)) an employer's workplace and make recommendations about how to comply with the safety and health rules. If the consultant finds hazards, the employer will be given a reasonable period of time to correct the hazard without citation or penalty.

Sometimes ((you)) employers might have to wait for an appointment because of the demand for these services. ((You)) Employers still must provide a safe workplace while ((you-wait)) waiting for a consultation.

DOSH offers a wide variety of free services. See the website below for web access to the following information:

((\*) (a) Safety and health workshops held in locations throughout the state.

((\*) (b) A comprehensive safety and health video lending library.

((\*) (c) Safety and health publications geared for both employer and employee.

((\*) (d) Website with online publications and learning opportunities.

((<http://www.lni.wa.gov/Safety/TrainingPrevention/>))  
<https://lni.wa.gov/safety-health/>

((Note: By law, DOSH consultants do not have any enforcement authority.))

**WAC 296-800-110 Employer responsibilities: Safe workplace—Summary.**

**(~~Your~~) Employer responsibility:**

To provide a safe and healthy workplace free from recognized hazards.

**IMPORTANT :**

Use these rules where there are no specific rules applicable to the particular hazard.

You must meet the requirements ...	in this section:
Provide a workplace free from recognized hazards	WAC 296-800-11005
Provide and use means to make ( <del>your</del> ) <u>the</u> workplace safe	WAC 296-800-11010
Prohibit employees from entering, or being in, any workplace that is not safe	WAC 296-800-11015
Construct ( <del>your</del> ) <u>the</u> workplace so it is safe	WAC 296-800-11020
Prohibit alcohol ( <del>and narcotics from your</del> ), <u>intoxicants, or debilitating drugs from the</u> workplace	WAC 296-800-11025
Prohibit employees from using tools and equipment that are not safe	WAC 296-800-11030
Establish, supervise, and enforce rules that lead to a safe and healthy work environment that are effective in practice	WAC 296-800-11035
Control chemical agents	WAC 296-800-11040
Protect employees from biological agents	WAC 296-800-11045

Employees may discuss and participate in any WISHA safety and health related practice and may refuse to perform dangerous tasks without fear of discrimination. Discrimination includes: Dismissal, demotion, loss of seniority, denial of a promotion, harassment, etc. see chapter 296-360 WAC, Discrimination pursuant to RCW 49.17.160, for a complete description of discrimination and the department's responsibility to protect employees.

**((Note:** Employees may discuss and participate in any WISHA safety and health related practice and may refuse to perform dangerous tasks without fear of discrimination. Discrimination includes: Dismissal, demotion, loss of seniority, denial of a promotion, harassment, etc. see chapter 296-360 WAC, Discrimination pursuant to RCW 49.17.160, for a complete description of discrimination and the department's responsibility to protect employees.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-11005 Provide a workplace free from recognized hazards.** ((~~You~~)) Employers must provide ((~~you~~)) employees a workplace free from recognized hazards that are causing, or are likely to cause, serious injury or death.

A hazard is recognized if it is commonly known in the employer's industry, or if there is evidence that the employer knew or should have known of the existence of the hazard, or if it can be established that any reasonable person would have recognized the hazard.

((**Note:** A hazard is recognized if it is commonly known in the employer's industry, or if there is evidence that the employer knew or should have known of the existence of the hazard, or if it can be established that any reasonable person would have recognized the hazard.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-11010 Provide and use means to make ((~~your~~)) the workplace safe.** ((~~You~~)) Employers must provide and use safety devices, safeguards, and use work practices, methods, processes, and means that are reasonably adequate to make ((~~your~~)) the workplace safe.

(1) ((~~You~~)) Employers must not remove, displace, damage, destroy or carry off any safety device, safeguard, notice or warning, furnished for use in any employment or place of employment.

(2) ((~~You~~)) Employers must not interfere with use of any of the above.

(3) ((~~You~~)) Employers must not interfere with the use of any method or process adopted for the protection of any employee.

(4) ((~~You~~)) Employers must do everything reasonably necessary to protect the life and safety of ((~~your~~)) employees.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-11015 Prohibit employees from entering, or being in, any workplace that is not safe.** ((~~You~~)) Employers must prohibit employees from entering, or being in, any workplace that is not safe.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-11020 Construct ((~~your~~)) the workplace so it is safe.** ((~~You~~)) Employers must not construct, or cause to be constructed, a workplace that is not safe.

This rule applies to employers, owners, and renters of property used as a place of employment.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-11025 Prohibit alcohol ((and narcotics)), intoxicants, or debilitating drugs from ((your)) the workplace.** (1) ((You)) Employers must prohibit alcohol ((and narcotics)), intoxicants, or debilitating drugs from ((your)) the workplace, except in industries and businesses that produce, distribute, or sell alcohol ((and narcotic)), intoxicants, or debilitating drugs.

(2) ((You)) Employers must prohibit employees under the influence of alcohol ((or narcotics)), intoxicants, or debilitating drugs from the worksite.

(3) Employees who are taking prescription drugs, as directed by a physician or dentist, are exempt from this section, if the employees are not a danger to themselves or other employees.

((**Exemption:** Employees who are taking prescription drugs, as directed by a physician or dentist, are exempt from this section, if the employees are not a danger to themselves or other employees.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-11030 Prohibit employees from using tools and equipment that are not safe.** ((You)) (1) Employers must take responsibility for the safe condition of tools and equipment used by employees.

(2) This applies to all equipment, materials, tools, and machinery whether owned by the employer or another firm or individual.

((**Note:** This applies to all equipment, materials, tools, and machinery whether owned by the employer or another firm or individual.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-11035 Establish, supervise, and enforce rules that lead to a safe and healthy work environment that are effective in practice.** ((You)) Employers must establish, supervise, and enforce rules that lead to a safe and healthy work environment that are effective in practice.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-11040 Control chemical agents.** (1) ((You)) Employers must control chemical agents in a manner that they will not present a hazard to your workers; or

(2) ((You)) Employers must protect workers from the hazard of contact with, or exposure to, chemical agents.

**Note:** Pesticides are considered to be chemical agents. As required by this rule, ((you)) employers must control them or provide protection to workers from exposure to pesticide hazards. Pesticide manufacturers supply precautionary statements in the information provided with the pesticide that tells ((you)) employers how to protect ((your)) workers from these hazards.

**WAC 296-800-11045 Protect employees from biological agents.** (1)

~~((You))~~ Employers must protect employees from exposure to ~~((hazardous concentrations of))~~ hazards presented by biological agents ~~((that may result from processing, handling or using materials or waste))~~.

(a) Biological agents include disease-causing viruses, bacteria, fungi (for example, yeast, molds, and mildews) and parasites, substances excreted or emitted from a person or animal, and bodily fluids of a person or animal when the substance(s) may cause disease, a reaction in an employee, or be a vector for transmission of a pathogen to employees. Biological agents may be present in fluids, aerosols, droplets, and other microscopic particles, and may be encountered by employees on surfaces, in materials, or as airborne particles or aerosols.

(b) Check The Center of Disease Control website (www.cdc.gov) to find published guidelines and information on safe handling and protection from specific biological agents (examples: Hanta virus, TB).

~~((Note: Potential exposure to biological agents occurs during cleanup, or other tasks, where employees handle:~~

- ~~- Animals or animal waste~~
- ~~- Body fluids~~
- ~~- Biological agents in a medical research lab~~
- ~~- Mold or mildew~~

~~Check The Center of Disease Control website (www.cdc.gov) to find published guidelines and information on safe handling and protection from specific biological agents (examples: Hanta virus, TB).))~~

(2) ~~((You))~~ Employers must warn employees of biohazards.

(3) ~~((You))~~ Employers must use signs, tags, or labels to identify:

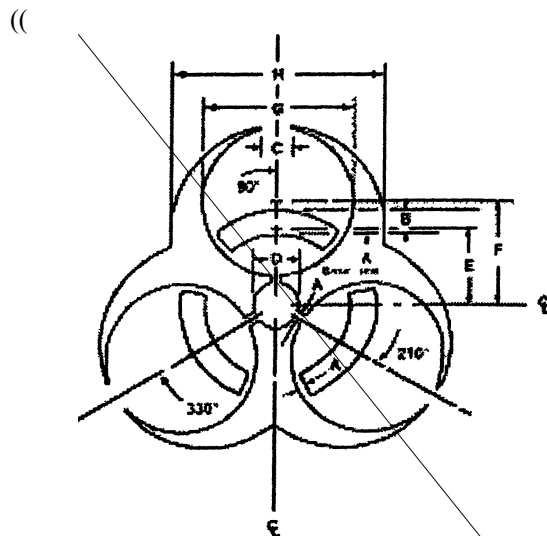
- (a) The actual or potential presence of a biohazard; and
- (b) Equipment, containers, rooms, materials, experimental animals, or any combinations of these that contain viable hazardous agents.

~~((Definition:~~

~~**Biohazard** means those infectious agents presenting a risk or potential risk of death, injury or illness to employees.~~

~~You))~~ (4) **Biohazard symbol.**

(a) Employers must make sure the sign, tag, or label includes the biohazard symbol ~~((that is designed and proportioned in the illustration that follows.))~~ below:



Dimension	A	B	C	D	E	F	G	H
Units	1	3½	4	6	11	16	21	30



((Yøu)) (b) Employers must make sure that there is sufficient contrast for the symbol to be clearly defined, if the sign, tag, or label has a background color.

**(c) Definition that applies to this section:**

**Biohazard** means those infectious agents presenting a risk or potential risk of death, injury, or illness to employees.

(i) Additional requirements for biohazard signs, tags, and labels may apply. See WAC 296-823-14025 and 296-823-18040 of the occupational exposure to bloodborne pathogens standard.

(ii) It is recommended that the sign, tag, or label have a key color of fluorescent orange or orange-red lettering or symbols in a contrasting color.

(iii) Appropriate wording may be used in association with the symbol to indicate:

- (A) The nature or identity of the hazard;
- (B) Name of individual responsible for its control;
- (C) Precautionary information; or
- (D) Other information.

(iv) This information should not be written on the symbol.



((Reference: Additional requirements for biohazard signs, tags, and labels may apply. See WAC 296-823-14025 and 296-823-18040 of the *Bloodborne Pathogens* book.

**Note:**

- It's recommended that the sign, tag, or label have a key color of fluorescent orange or orange-red and lettering or symbols in a contrasting color.
- Appropriate wording may be used in association with the symbol to indicate:
  - The nature or identity of the hazard;
  - Name of individual responsible for its control;
  - Precautionary information;

**OR**

- Other information.
- This information should not be written on the symbol.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-120 Rule.** ((You)) Employers must play an active role in creating a safe and healthy workplace and comply with all applicable safety and health rules.

Employees may discuss and participate in any WISHA safety and health related practice and may refuse to perform dangerous tasks without fear of discrimination. Discrimination includes: Dismissal, demotion, loss of seniority, denial of a promotion, harassment, etc. (see chapter 296-360 WAC, Discrimination) pursuant to RCW 49.17.160 for a complete description of discrimination and the department's responsibility to protect employees.

((Note: Employees may discuss and participate in any WISHA safety and health related practice and may refuse to perform dangerous tasks without fear of discrimination. Discrimination includes: Dismissal, demotion, loss of seniority, denial of a promotion, harassment, etc. (see chapter 296-360 WAC, Discrimination) pursuant to RCW 49.17.160 for a complete description of discrimination and the department's responsibility to protect employees.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-12005 Employee responsibilities.** Employees must:

- (1) Study and follow all safe practices that apply to their work.
- (2) Coordinate and cooperate with all other employees in the workplace to try to eliminate on-the-job injuries and illnesses.
- (3) Apply the principles of accident prevention in their daily work and use proper safety devices and protective equipment as required by their employment or employer.
- (4) Take care of all personal protective equipment (PPE) properly.
- (5) Not wear:
  - (a) Torn or loose clothing while working around machinery.
  - (b) Things such as clothing, hair, or jewelry that can get caught in machinery and may be a hazard on the job.

((Note: Things such as clothing, hair, and jewelry can get caught in machinery and be a hazard on the job.))

- (6) Report promptly to their supervisor every industrial injury or occupational illness.
- (7) Not remove, displace, damage, or destroy or carry off any safeguard, notice, or warning provided to make the workplace safe.
- (8) Not interfere with use of any safeguard by anyone in the workplace.
- (9) Not interfere with the use of any work practice designed to protect them from injuries.

(10) Do everything reasonably necessary to protect the life and safety of employees.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-130 Safety committees/safety meetings—Summary.**

**Important:**

This rule requires ~~((you))~~ employers to have a method of communicating and evaluating safety and health issues brought up by ~~((you))~~ the employer or ~~((your))~~ employees in ~~((your))~~ the workplace. Larger employers **must** establish a safety committee. Smaller employers have the choice of either establishing a safety committee or holding safety meetings with a management representative present.

There is a difference between a safety committee and a safety meeting.

~~((1))~~ (1) A safety committee is an organizational structure where members represent a group. This gives everyone a voice but keeps the meeting size to an effective number of participants.

~~((2))~~ (2) A safety meeting includes all employees and a management person is there to ensure that issues are addressed. Typically, the safety committee is an effective safety management tool for a larger employer and safety meetings are more effective for a smaller employer.

**~~((Your))~~ Employer responsibility:**

~~((You))~~ Employers must establish a safety committee or hold safety meetings to create and maintain a safe and healthy workplace for all employees.

You must meet the requirements ...	in this section:
Establish and conduct safety committees	WAC 296-800-13020
Follow these rules to conduct safety meetings	WAC 296-800-13025

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-13020 Establish and conduct safety committees.**

<b>If:</b>	<b>Then:</b>
<del>((You))</del> <u>Employers</u> employ 11 or more employees on the same shift at the same location	<del>((You))</del> <u>Employers</u> must establish a safety committee

(1) ~~((You))~~ Employers must establish a safety committee.

Make sure ~~((your))~~ the committee:

(a) Has employee-elected and employer-selected members.

(i) The number of employee-elected members must equal or exceed the number of employer-selected members. Employees selected by the em-

ployees bargaining representative or union qualify as employee-elected.

~~((Note: Employees selected by the employees bargaining representative or union qualify as employee-elected.))~~

(ii) The term of employee-elected members must be a maximum of ~~((one))~~ two years. (There is no limit to the number of terms a representative can serve.)

(iii) If there is an employee-elected member vacancy, a new member must be elected prior to the next scheduled meeting.

(b) Has an elected chairperson.

(c) Determines how often, when, and where, the safety committee will meet.

(i) Meetings should be one hour or less, unless extended by a majority vote of the committee.

(ii) If the committee cannot agree on the frequency of meetings, the department of labor and industries regional safety consultation representative should be consulted for recommendations. (See the "What are L&I, WISHA and DOSH" section of this standard for contact information.)

~~((Note: • Meetings should be one hour or less, unless extended by a majority vote of the committee. • If the committee cannot agree on the frequency of meetings, the department of labor and industries regional safety consultation representative should be consulted for recommendations. (See the resources section of this book for contacts.))~~

(2) ~~((You))~~ Employers safety committee must meet and cover these topics:

(a) Review safety and health inspection reports to help correct safety hazards.

(b) Evaluate the accident investigations conducted since the last meeting to determine if the cause(s) of the unsafe situation was identified and corrected.

(c) Evaluate ~~((your))~~ the workplace accident and illness prevention program and discuss recommendations for improvement, if needed.

(d) Document attendance.

(e) Write down subjects discussed.

(3) ~~((You))~~ Employers must record meetings.

Prepare minutes from each safety committee and:

(a) Preserve them for one year.

(b) Make them available for review by safety and health consultation personnel of the department of labor and industries.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-13025 Follow these rules to conduct safety meetings.**

<b>If:</b>	<b>Then:</b>
<del>((You))</del> <u>Employers</u> have 10 or fewer employees <b>OR</b> <del>((If you))</del> <u>Employers</u> have 11 or more employees that <ul style="list-style-type: none"> <li>• Work on different shifts with 10 or fewer employees on each shift</li> </ul> <b>OR</b> <ul style="list-style-type: none"> <li>• Work in widely separate locations with 10 or fewer employees at each location</li> </ul>	<del>((You))</del> <u>Employers</u> may choose to hold a safety meeting instead of a safety committee

- (1) ~~((You))~~ Employers must do the following for safety meetings. Make sure ~~((your))~~ safety meetings:
- (a) Are held monthly. ~~((You may meet))~~ Safety meetings may be held more often to discuss safety issues as they come up.
  - (b) Have at least one management representative.
- (2) ~~((Your))~~ Safety ~~((committee))~~ meetings must meet and cover these topics.
- (a) Review safety and health inspection reports to help correct safety hazards.
  - (b) Evaluate the accident investigations conducted since the last meeting to determine if the cause(s) of the unsafe situation was identified and corrected.
  - (c) Evaluate ~~((your))~~ the workplace accident and illness prevention program and discuss recommendations for improvement, if needed.
- ~~((d))~~ (3) The employer must maintain a record of each safety meeting.
- (a) The record for each meeting must document attendance ~~((-~~ Write down ~~))~~; and, subjects discussed.
  - (b) The record for each meeting must be maintained for at least one year and be available for review by personnel of the department, upon request.

**(Note:** There are no formal documentation requirements for safety meetings except for writing down who attended and the topics discussed.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-140 Accident prevention program.**

**~~((Your))~~ Employers responsibility:**

~~((You))~~ Employers must establish, supervise and enforce an accident prevention program (APP) that is effective in practice. ~~((You))~~ Employers may call this ~~((your))~~ the employers total safety and health plan.)

<del>((You))</del> <u>Employers</u> must meet the requirements ...	in this section:
Develop a formal, written accident prevention program	WAC 296-800-14005
Develop, supervise, implement, and enforce safety and health training programs that are effective in practice	WAC 296-800-14020
Make sure <del>((your))</del> <u>employers</u> accident prevention program is effective in practice	WAC 296-800-14025

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-14005 Develop a formal, written accident prevention program.** (1) (~~You~~) Employers must develop a written formal accident prevention program (~~that is outlined in writing~~). The program must be tailored to the needs of (~~your~~) an employer's particular workplace or operation and to the types of hazards involved. The term "accident prevention program" refers to the employer's written plan to prevent accidents, illnesses, and injuries on the job. Employers accident prevention program may be known as the safety and health plan, injury prevention program, or by some other name.

((Note: The term "accident prevention program" refers to your written plan to prevent accidents, illnesses, and injuries on the job. Your accident prevention program may be known as your safety and health plan, injury prevention program, or by some other name.))

(2) (~~You~~) Employers must make sure (~~your~~) the accident prevention program contains at least the following elements:

(a) A safety orientation:

(i) A description of (~~your~~) the employer's total safety and health program.

(ii) On-the-job orientation showing employees what they need to know to perform their initial job assignments safely.

(iii) How and when to report on-the-job injuries including instruction about the location of first-aid facilities in (~~your~~) the workplace.

(iv) How to report unsafe conditions and practices.

(v) The use and care of required personal protective equipment (PPE).

(vi) What to do in an emergency, including how to exit the workplace.

(vii) Identification of hazardous gases, chemicals, or materials used on-the-job and instruction about the safe use and emergency action to take after accidental exposure.

(viii) The methods the employer will use to inform employees of the hazards on nonroutine tasks when they arise.

(b) A safety and health committee, that meets the requirements of WAC 296-800-130.

(~~(WAC 296-800-130.)~~)

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-14020 Develop, supervise, implement, and enforce safety and health training programs that are effective in practice.**

(1) (~~You~~) Employers must develop, supervise, implement, and enforce training programs to improve the skill, awareness, and competency of all (~~your~~) employees in the field of occupational safety and health.

(2) (~~You~~) Employers must make sure training includes on-the-job instruction to employees prior to their job assignment about hazards such as:

(a) Safe use of powered materials-handling equipment, such as forklifts, backhoes, etc.

(b) Safe use of machine tool operations.

(c) Use of toxic materials.

(d) Operation of utility systems.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-14025 Make sure ~~((your))~~ employers accident prevention program is effective in practice.** ~~((You))~~ Employers must establish, supervise, and enforce ~~((your))~~ the employer's accident prevention program in a manner that is effective in practice.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-150 Rule summary.**

~~((Your))~~ **Employer responsibility:**

~~((You))~~ (1) Employers must make sure first-aid trained personnel are available to provide quick and effective first aid.

<del>((You))</del> <u>Employers</u> must meet the requirements ...	in this section:
Make sure that first-aid trained personnel are available to provide quick and effective first aid	WAC 296-800-15005
Make sure appropriate first-aid supplies are readily available	WAC 296-800-15020
Make sure emergency washing facilities are functional and readily accessible	WAC 296-800-15030
Inspect and activate <del>((your))</del> <u>employer</u> emergency washing facilities	WAC 296-800-15035
Make sure supplemental flushing equipment provides sufficient water	WAC 296-800-15040

(2) Employers who require their employees to provide first aid must comply with chapter 296-823 WAC, Occupational exposure to blood-borne pathogens.

(3) An employer's workplace may be covered by separate first-aid rules. If an employer does any of the types of work listed below, the employer must follow separate industry specific rules:

**(Note:**

- Employers who require their employees to provide first aid must comply with chapter 296-823 WAC, Occupational exposure to bloodborne pathogens.
- Your workplace may be covered by separate first-aid rules. If you do any of the types of work listed below, you must follow separate industry specific rules:))

<b>Industry</b>	<b>Chapter (WAC)</b>
Agriculture	296-307
Compressed air	296-36
Construction	296-155

Industry	Chapter (WAC)
Firefighting	296-305
Logging	296-54
Sawmill	296-78
Ship building and repairing	296-304

~~((You can get))~~ Copies of these rules ~~((by calling 1-800-4BE SAFE (1-800-423-7233), or))~~ may be obtained by going to ~~((http://www.lni.wa.gov))~~ https://www.lni.wa.gov/.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-15005 Make sure that first-aid trained personnel are available to provide quick and effective first aid.** ~~((You))~~ Employers must comply with the first-aid training requirements of 29 C.F.R. 1910.151(b) which states:

"In the absence of an infirmary, clinic, or hospital in near proximity to the workplace~~((7))~~ which is used for the treatment of all injured employees, a person or persons must be adequately trained to render first aid. Adequate first-aid supplies shall be readily available."

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-15020 Make sure appropriate first-aid supplies are readily available.** (1) ~~((You))~~ Employers must make sure first-aid supplies are readily available. First-aid kits from a local retailer or safety supplier should be adequate for most nonindustrial employers.

(2) ~~((You))~~ Employers must make sure first-aid supplies at your workplace are appropriate to:

(a) ~~((Your))~~ Employer occupational setting.

(b) The response time of ~~((your))~~ employer emergency medical services.

~~((Note: First-aid kits from your local retailer or safety supplier should be adequate for most nonindustrial employers.))~~

(3) ~~((You))~~ Employers must make sure that first-aid supplies are:

(a) Easily accessible to all ~~((your))~~ employees.

(b) Stored in containers that protect them from damage, deterioration, or contamination. Containers must be clearly marked, not locked, and may be sealed.

(c) Able to be moved to the location of an injured or acutely ill worker.

**WAC 296-800-15030 Make sure emergency washing facilities are functional and readily accessible.** (1) (~~You~~) Employers must provide an emergency shower:

(a) When there is potential for major portions of an employee's body to contact corrosives, strong irritants, or toxic chemicals.

(b) That delivers water to cascade over the user's entire body at a minimum rate of 20 gallons (75 liters) per minute for (~~fifteen~~) 15 minutes or more.

(2) (~~You~~) Employers must provide an emergency eyewash:

(a) When there is potential for an employee's eyes to be exposed to corrosives, strong irritants, or toxic chemicals.

(b) That irrigates and flushes both eyes simultaneously while the user holds their eyes open.

(c) With an on-off valve that activates in one second or less and remains on without user assistance until intentionally turned off.

(d) That delivers at least 0.4 gallons (1.5 liters) of water per minute for (~~fifteen~~) 15 minutes or more.

(e) Employers can determine whether chemicals in the workplace require emergency washing facilities by looking at the safety data sheet (SDS) or similar documents. The SDS contains information about first-aid requirements and emergency flushing of skin or eyes.

(f) For chemicals developed in the workplace, the following resources provide information about first-aid requirements:

(i) NIOSH Pocket Guide to Chemical Hazards;

(ii) DHHS (NIOSH) Publication No. 97-140;

(iii) <https://www.cdc.gov/niosh/npg/firstaid.html>;

(iv) Threshold Limit Values for Chemical Substances and Physical Agents American Conference of Governmental Industrial Hygienists (ACGIH).

**((Note: Chemicals that require emergency washing facilities:**

• You can determine whether chemicals in your workplace require emergency washing facilities by looking at the safety data sheet (SDS) or similar documents. The SDS contains information about first-aid requirements and emergency flushing of skin or eyes.

• For chemicals developed in the workplace, the following resources provide information about first-aid requirements:

– NIOSH Pocket Guide to Chemical Hazards

\*DHHS (NIOSH) Publication No. 97-140

\*<http://www.cdc.gov/niosh/npg/ggdstart.html>

– Threshold Limit Values for Chemical Substances and Physical Agents American Conference of Governmental Industrial Hygienists (ACGIH))

(3) (~~You~~) Employers must make sure emergency washing facilities:

(a) Are located so that it takes no more than (~~ten~~) 10 seconds to reach.

(b) Are kept free of obstacles blocking their use.

(c) Function correctly.

(d) Provide the quality and quantity of water that is satisfactory for emergency washing purposes.

(e) Employers must not allow water in emergency washing facilities to freeze as they will not function correctly.

(f) The travel distance to an emergency washing facility must not be more than 50 feet (15.25 meters).

(g) For further information on the design, installation, and maintenance of emergency washing facilities, see American National Standards Institute (ANSI) publication Z358.1 - for Emergency Eyewash and Shower Equipment. The ANSI standard can be obtained from the American National Standards Institute, 1430 Broadway, New York, New York



10018. See WAC 296-800-36005 for additional information related to AN-SI publications.

(h) Training in the location and use of emergency washing facilities is required under the hazard communication rule, WAC 296-901-140, and the accident prevention program rule, WAC 296-800-140.

(i) All emergency washing facilities using "not fit for drinking" (nonpotable) water must have signs stating the water is "not fit for drinking." See WAC 296-800-23010.

**((Note:**

- If water in emergency washing facilities is allowed to freeze, they will not function correctly. Precautions need to be taken to prevent this from happening.
- The travel distance to an emergency washing facility should be no more than fifty feet (15.25 meters).
- For further information on the design, installation, and maintenance of emergency washing facilities, see American National Standards Institute (ANSI) publication Z358.1-1998, *Emergency Eyewash and Shower Equipment*. Emergency washing facilities that are designed to meet ANSI Z358.1-1998 also meet the requirements of this standard. The ANSI standard can be obtained from the American National Standards Institute, 1430 Broadway, New York, New York 10018.

**Reference:**

- Training in the location and use of your emergency washing facilities is required under the hazard communication rule, WAC 296-901-140, and the accident prevention program rule, WAC 296-800-140.
- All emergency washing facilities using "not fit for drinking" (nonpotable) water must have signs stating the water is "not fit for drinking." See WAC 296-800-23010.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-15035 Inspect and activate ((your)) employer emergency washing facilities.** (1) ((You)) Employers must make sure all plumbed emergency washing facilities are inspected once a year to make sure they function correctly.

(2) Inspections must include:

(a) Examination of the piping;

(b) Making sure that water is available at the appropriate temperature and quality;

(c) Activation to check that the valves and other hardware work properly;

(d) Checking the water flow rate.

**((Note:**

- Inspections should include:
  - Examination of the piping
  - Making sure that water is available at the appropriate temperature and quality
  - Activation to check that the valves and other hardware work properly
  - Checking the water flow rate.

~~(2) You)~~ (3) Employers must make sure plumbed emergency eyewashes and hand-held drench hoses are activated weekly to check the proper functioning of the valves, hardware, and availability of water.

~~((3) You)~~ (4) Employers must make sure all self-contained eyewash equipment and personal eyewash units are inspected and maintained according to manufacturer instructions.

(a) Inspections to check proper operation must be done once a year.

(b) Sealed personal eyewashes must be replaced after the manufacturer's expiration date.

**((Note:** Most manufacturers recommend replacing fluid in open self-contained eyewashes every six months. The period for sealed containers is typically two years.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-15040 Make sure supplemental flushing equipment provides sufficient water.**

((Note: Supplemental flushing equipment cannot be used in place of required emergency showers or eyewashes.))

(1) ((~~You~~)) Employers must make sure hand-held drench hoses deliver at least 3.0 gallons (11.4 liters) of water per minute for ((~~fifteen~~)) 15 minutes or more.

((Note: Why use a drench hose? A drench hose is useful when:  
• The spill is small and does not require an emergency shower  
• Used with a shower for local rinsing, particularly on the lower extremities.))

(2) ((~~You~~)) Employers must make sure personal eyewash equipment delivers only clean water or other medically approved eye flushing solutions.

(3) Supplemental flushing equipment cannot be used in place of required emergency showers or eyewashes.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-160 Summary.**

**((~~Your~~)) Employer responsibility:**

((~~You~~)) Employers must make sure that ((~~your~~)) employees have, use, and care for the appropriate personal protective equipment (PPE). PPE is an item or items used to protect the eyes, face, head, body, arms, hands, legs, and feet such as goggles, helmets, head covers, gloves, rubber slickers, disposable coveralls, safety shoes, protective shields, and barriers.

(( <del>You</del> )) <u>Employers</u> must meet the requirements ...	in this section:
Compliance duties owed to each employee	WAC 296-800-16002
Do a hazard assessment for PPE	WAC 296-800-16005
Document (( <del>your</del> )) <u>employers</u> hazard assessment for PPE	WAC 296-800-16010
Select appropriate PPE for (( <del>your</del> )) employees	WAC 296-800-16015
Provide PPE to (( <del>your</del> )) employees	WAC 296-800-16020
Train (( <del>your</del> )) employees to use PPE	WAC 296-800-16025
Retrain employees to use PPE, if necessary	WAC 296-800-16030
Document PPE training	WAC 296-800-16035
Require (( <del>your</del> )) employees to use necessary PPE on the job	WAC 296-800-16040
Keep PPE in safe and good condition	WAC 296-800-16045

<del>((You))</del> <u>Employers</u> must meet the requirements ...	in this section:
Make sure <del>((your))</del> employees use appropriate eye and face protection	WAC 296-800-16050
Make sure <del>((your))</del> employees use appropriate head protection	WAC 296-800-16055
Make sure <del>((your))</del> employees use appropriate foot protection	WAC 296-800-16060
Make sure <del>((your))</del> employees use appropriate hand protection	WAC 296-800-16065
Make sure <del>((your))</del> employees are protected from drowning	WAC 296-800-16070

WAC 296-800-16015, 296-800-16025, 296-800-16030, and 296-800-16035 do not apply to electrical protective equipment or respiratory protection. See chapters 296-24 WAC, Part L and chapter 296-842 WAC, for rules about these types of protective equipment.

**(Exemption:** ~~• WAC 296-800-16015, 296-800-16025, 296-800-16030, and 296-800-16035 do not apply to electrical protective equipment or respiratory protection. See chapters 296-24 WAC, Part L and chapter 296-842 WAC, for rules about these types of protective equipment.)~~)

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-16002 Compliance duties owed to each employee. (1)**

~~((You))~~ Employers must provide personal protective equipment. Standards in this part requiring the employer to provide personal protective equipment (PPE), including respirators and other types of PPE, because of hazards to employees impose a separate compliance duty with respect to each employee covered by the requirement. The employer must provide PPE to each employee required to use the PPE, and each failure to provide PPE to an employee may be considered a separate violation.

(2) ~~((You))~~ Employers must provide training. Standards in this part requiring training on hazards and related matters, such as standards requiring that employees receive training or that the employer train employees, provide training to employees, or institute or implement a training program, impose a separate compliance duty with respect to each employee covered by the requirement. The employer must train each affected employee in the manner required by the standard, and each failure to train an employee may be considered a separate violation.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-16005 Do a hazard assessment for PPE.** ((~~You~~)) (1) Employers must look for and identify hazards or potential hazards in ((~~your~~)) the workplace and determine if PPE is necessary on the job.

(2) PPE alone should not be relied on to provide protection for employees. PPE should be used after all other reasonable means of reducing hazards have been carried out. Identifying hazards in the workplace should be built into the employer's regular routine. Employers should take active steps to get rid of all identified hazards. For example, employers can:

- (a) Consider other ways to get hazardous jobs done.
- (b) Reduce hazardous materials or processes.
- (c) Apply engineering controls to reduce or eliminate hazards.

((**Note:** PPE alone should not be relied on to provide protection for your employees. PPE should be used after all other reasonable means of reducing hazards have been carried out. Identifying hazards in your workplace should be built into your regular routine. You should take active steps to get rid of all identified hazards. For example, you can:  
• Consider other ways to get hazardous jobs done.  
• Reduce hazardous materials or processes.  
• Apply engineering controls to reduce or eliminate hazards.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-16010 Document ((~~your~~)) employers hazard assessment for PPE.** ((~~You~~)) Employers must verify that a hazard assessment for PPE has been done at your workplace and complete a written certification (paper or electronic format) that includes the:

- (1) Name of the workplace.
- (2) Address of the workplace you inspected for hazards.
- (3) Name of person certifying that a workplace hazard assessment was done.
- (4) Date(s) the workplace hazard assessment was done.
- (5) Statement identifying the document as the certification of hazard assessment for PPE for the workplace.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-16015 Select appropriate PPE for ((~~your~~)) employees.** (1) ((~~You~~)) Employers must select appropriate PPE.

(a) Select appropriate PPE for ((~~your~~)) employees if hazards are present, or likely to be present.

(b) Select PPE for each at-risk employee to use for protection from the hazards identified in your workplace hazard assessment.

(2) ((~~You~~)) Employers must select PPE that properly fits each at-risk employee. Industry specific standards may have industry specific PPE requirements. Please refer to the industry specific standard for PPE requirements.

((**Note:** The hazards in your workplace have special rules that apply to them. For information about PPE for specific workplaces, see these WISHA rule books:

Construction Work	Chapter 296-155 WAC
Electrical Workers	Chapter 296-45 WAC
Firefighters	Chapter 296-305 WAC
General Occupational Health Standards	Chapter 296-62 WAC
General Safety and Health Standards	Chapter 296-24 WAC
Logging Operations	Chapter 296-54 WAC
Pulp, Paper and Paper Board Mills and Converters	Chapter 296-79 WAC
Ship Repairing, Ship Building and Shipbreaking	Chapter 296-304 WAC
Ski Area Facilities and Operations	Chapter 296-59 WAC
Telecommunication	Chapter 296-32 WAC
Textile Industry	Chapter 296-301 WAC))

(3) For help in selecting PPE for employees, employers have several options. Employers may:

(a) Contact your local L&I office near you and ask to speak with DOSH Consultation (<https://www.lni.wa.gov/safety-health/preventing-injuries-illnesses/request-consultation/consultant-near-you>).

(b) Call 1-800-4BE-SAFE (1-800-4233-7233) for guidelines for selecting PPE.

(c) Visit the labor and industries website.

(d) Consult with safety and health professionals knowledgeable in this area.

(e) Discuss PPE choices with your employees.

(f) Visit the OSHA website.

**((Note:**

For help in selecting PPE for your employees, you have several options. You may:

• Visit the OSHA website <http://www.osha-slc.gov/SLTC/personalprotectiveequipment/index.html>.

• Call 1-800-4BE-SAFE (1-800-423-7233) for guidelines for selecting PPE.

• Consult with safety and health professionals knowledgeable in this area. See resource section for links to professional organizations.

• Discuss PPE choices with your employees.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-16020 Provide PPE to ((your)) employees. ((You))**

Employers must provide PPE at no cost to employees if the PPE is:

(1) The type that would not reasonably or normally be worn away from the workplace, such as single use or disposable PPE.

(2) Required to comply with a safety and health standard to protect employees wherever hazards exist from:

(a) Processes;

(b) Environmental hazards;

(c) Physical, chemical, or radiological hazards; or

(d) Mechanical irritants that could cause injury or impairment to the function of any body part through absorption, inhalation, or physical contact.

**Table-X: Employer Responsibility for Providing PPE**

**\*This table provides examples only and is not all-inclusive.**

<b>Part of Body</b>	<b>PPE employers are required to provide at no cost to employees.</b>	<b>Items in which employer payment is not required.</b>
<b>Head</b>	Bump caps. Hard hat. Nonconductive head protection.	—
<b>Eye and Face</b>	Face shields. Goggles. Laser safety goggles. Nonprescription eye protection. Prescription eyewear inserts/lenses for full-face respirators. Welding and diving helmets.	Nonspecialty prescription safety eyewear.
<b>Ear</b>	Hearing protection.	—
<b>Hand/ Arm</b>	Aluminized gloves. Barrier creams (unless used solely for weather-related protection). Chemical resistant gloves/aprons/clothing. Mesh cut proof gloves. Mesh or leather aprons. Nonspecialty gloves if required to protect from dermatitis, severe cuts, or abrasions. Rubber insulating gloves. Rubber sleeves.	Hand protection used only for keeping clean or for cold weather with no safety or health consideration.
<b>Foot</b>	Metatarsal foot protection. Rubber boots with steel toes. Shoe covers - Toe caps and metatarsal guards. Special boots for longshoremen working logs.	Nonspecialty safety-toe protective footwear such as steel-toe shoes or boots. Sturdy work shoes. Lineman's boots. Logging boots required under chapter 296-54 WAC.

<b>Part of Body</b>	<b>PPE employers are required to provide at no cost to employees.</b>	<b>Items in which employer payment is not required.</b>
<b>Other</b>	<p>Atmosphere-supplying respirators (escape only).</p> <p>Climbing ensembles used by linemen such as belts and climbing hooks.</p> <p>Level A - Fully encapsulated chemical protective suits.</p> <p>Level B - Chemical protective clothing.</p> <p>Personal fall arrest systems.</p> <p>Personal fall restraint systems.</p> <p>Firefighting PPE (helmet, gloves, boots, proximity suits, full gear).</p> <p>Ladder safety device belts.</p> <p>Personal floatation devices (life jackets).</p> <p>Class II or III high visibility garments that meet ANSI 107-2004 specifications.</p> <p>Respiratory protection.</p> <p>SCBA (self-contained breathing apparatus).</p> <p>Welding PPE.</p> <p>Window cleaner's safety straps.</p> <p>Items such as aprons, lab coats, goggles, disposable gloves, shoe covers, etc., used in medical/ laboratory settings to protect from exposure to infectious agents.</p>	<p>Long sleeve shirts.</p> <p>Long pants.</p> <p>Ordinary cold weather gear (coats, parkas, cold weather gloves, winter boots).</p> <p>Ordinary rain gear.</p> <p>Dust mask/ respirators used under the voluntary use provisions in chapter 296-842 WAC.</p> <p>Back belts.</p> <p>Sunglasses.</p> <p>Sunscreen.</p>

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-16025 Train ((you#)) employees to use PPE.** (1)  
 ((You)) Employers must communicate ((you#)) PPE selection decision to each at-risk employee.

(2) (~~you~~) Employers must provide training to each employee who is required to use PPE on the job. Each affected employee must be trained to know at least the following:

- (a) When PPE is necessary.
- (b) What PPE is necessary.
- (c) How to put on, take off, adjust, and wear PPE.
- (d) Limitations of PPE.
- (e) Proper care, maintenance, useful life, and disposal of PPE.

(3) Make sure before an employee is allowed to perform work requiring the use of PPE that the employee can:

- (a) Demonstrate an understanding of the training specified above; and
- (b) Demonstrate the ability to use PPE properly.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-16030 Retrain employees to use PPE, if necessary.**

(~~you~~) Employers must retrain an employee when (~~you have~~) there is reason to believe the understanding, motivation, and skills required to use the PPE has not been retained. Circumstances where retraining is required include:

- (1) Changes in the workplace that make previous training out of date.
- (2) Changes in the types of PPE to be used make previous training out of date.
- (3) Work habits or demonstrated knowledge indicate that the employee has not retained the necessary understanding, skill, or motivation to use PPE.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-16035 Document PPE training.** (~~you~~) (1) Employers must document in writing that each employee using PPE has received and understood the required training.

This documentation must include:

- (~~1~~) (a) Name of each employee.
- (~~2~~) (b) Date(s) of training.
- (~~3~~) (c) Subject of the training.

(2) Documentation must be maintained and to be made available to the department upon request within two business days.

((Note: Documentation may be stored on a computer as long as it is available to safety and health personnel from the department of labor and industries.))



AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-16040 Require ((your)) employees to use necessary PPE on the job.** ((You)) Employers must require ((your)) employees to use necessary PPE on the job.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-16045 Keep PPE in safe and good condition.** (1) ((You)) Employers must make sure all PPE is safe for the work to be performed. It must:

- (a) Be durable.
- (b) Fit snugly.
- (c) Not interfere with the employee's movements.

(2) ((You)) Employers must make sure PPE is used and maintained in a clean and reliable condition.

**Defective equipment MUST NOT be used.**

(3) ((You)) Employers must make sure if employees provide their own PPE, that it is adequate for the workplace hazards, and maintained in a clean and reliable condition.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-16050 Make sure ((your)) employees use appropriate eye and face protection.** (1) ((You)) Employers must make sure that employees exposed to hazards that could injure their eyes ((and/or face)), face, or both use appropriate protection. Examples of these hazards include:

- (a) Flying particles.
- (b) Molten metal.
- (c) Liquid chemicals.
- (d) Acids or caustic liquids.
- (e) Chemical gases or vapors.
- (f) Any light that could injure the eyes such as lasers, ultra-violet, or infrared light.
- (g) Objects that puncture.

(2) ((You)) Employers must make sure employees exposed to hazards from flying objects have eye protection with side protection, such as safety glasses with clip-on or slide-on side shields.

(3) ((You)) Employers must make sure eye protection for employees who wear prescription lenses:

- (a) Incorporates the prescription into the design of the eye protection; or
- (b) Is large enough to be worn over the prescription lenses without disturbing them.

(4) ((You)) Employers must make sure PPE used to protect the eyes and face meet the specifics ((of either the 1989 version, the 1998 re-

vision, or the 2003 version)) of ANSI Z87.1, American National Standard Practice for Occupational and Education Eye and Face Protection.

(5) Other protective eye and face protection devices may be used if the employer demonstrates that they are at least as effective as those constructed in accordance with one of the above consensus standards. ANSI is the American National Standards Institute that publishes nationally recognized safety and health requirements. Their address is:

ANSI (American National Standards Institute)  
1819 L Street NW  
Washington, DC 20036  
Phone: 202-293-8020  
Fax: 202-293-9287  
http://www.ansi.org

((Note: ANSI is the American National Standards Institute that publishes nationally recognized safety and health requirements. Their address is:  
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http://www.ansi.org))

AMENDATORY SECTION (Amending WSR 20-03-154, filed 1/21/20, effective 2/21/20)

**WAC 296-800-16055 Make sure ((your)) employees use appropriate head protection.** (1) ((You)) Employers must make sure employees wear appropriate protective helmets.

(a) Where employees are exposed to hazards that could cause a head injury. Examples of this type of hazard include:

- (i) Flying or propelled objects.
- (ii) Falling objects or materials.

(b) Where employees are working around or under scaffolds or other overhead structures.

(2) Head protection must comply with ~~((any of the following consensus standards))~~:

(a) American National Standards Institute (ANSI) Z89.1((-2009)), "American National Standard for Industrial Head Protection";

(b) ~~((American National Standards Institute (ANSI) Z89.1-2003, "American National Standard for Industrial Head Protection";~~

~~(c) American National Standards Institute (ANSI) Z89.1-1997, "American National Standard for Personnel Protection Protective Headwear for Industrial Workers Requirements."~~

~~(d) You))~~ Employers may use protective helmets that do not meet ~~((these))~~ the above ANSI standard~~((s))~~ if ~~((you))~~ employers can demonstrate that they are equally effective as those constructed in accordance with the above ANSI~~((s))~~.

(3) ((You)) Employers must make sure employees working near exposed electrical conductors that could contact ~~((their))~~ employees head wear a protective helmet designed (that meet the above ANSI standards) to reduce electrical shock hazard.

Caps with metal buttons or metal visors must **not** be worn around electrical hazards.

(4) ((~~You~~)) Employers must make sure employees working around machinery or in locations that present a hair-catching or fire hazard wear caps or head coverings that completely cover their hair.

(a) Employees must wear a hair net that controls all loose ends when:

(i) Hair is as long as the radius of pressure rolls with exposed in-running nip points.

(ii) Hair is twice as long as the circumference of exposed revolving shafts or tools in fixed machines.

(b) Employees must wear a hair covering of solid material when:

The employee is exposed to an ignition source and may run into an area containing category 1 or 2 flammable liquids, such as ether, benzene, or category 3 flammable liquids with a flashpoint below 100°F (37.8°C), or combustible atmospheres if their hair is on fire.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-16060 Make sure ((~~your~~)) employees use appropriate foot protection.** (1) ((~~You~~)) Employers must use appropriate foot protection.

(a) Where employees are exposed to hazards that could injure their feet. Examples of these hazards are:

(i) Falling objects.

(ii) Rolling objects.

(iii) Piercing/cutting injuries.

(iv) Electrical hazards.

(b) That meets the specifications of one of the following consensus standards:

(i) ASTM F-2412-2005, Standard Test Methods for Foot Protection, and ASTM F-2413-2005, Standard Specification for Performance Requirements for Protective Footwear.

(ii) ANSI Z41-1999, American National Standard for Personal Protection—Protective Footwear.

(iii) ANSI Z41-1991, American National Standard for Personal Protection—Protective Footwear.

(c) Protective footwear that does not meet these standards may be used if ((~~you~~)) employers demonstrate that it is equally effective as that constructed in accordance with one of the above consensus standards.

(2) ((~~You~~)) Employers must make sure ((~~your~~)) employees wear calks or other suitable footwear to protect against slipping while they are working on top of logs.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-16065 Make sure ((~~your~~)) employees use appropriate hand protection.** (1) ((~~You~~)) Employers must make sure employees ex-

posed to hazards that could injure their hands use appropriate hand protection. Examples of these hazards include:

- (a) Absorbing harmful substances.
- (b) Severe cuts, lacerations or abrasions.
- (c) Punctures.
- (d) Chemical burns and/or thermal burns.
- (e) Harmful temperature extremes.

(2) (~~You~~) Employers must make sure when choosing hand protection, (~~you~~) employers consider how well the hand protection performs relative to the:

- (a) Task.
- (b) Conditions present.
- (c) Duration of use.
- (d) Hazards.
- (e) Potential hazards.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-16070 Make sure (~~your~~) employees are protected from drowning.** (1) (~~You~~) Employers must provide and make sure (~~your~~) employees wear personal flotation devices (PFD) when they work in areas where the danger of drowning exists, such as:

- (a) On the water.
- (b) Over the water.
- (c) Alongside the water.

((Note: Employees are not exposed to the danger of drowning when:  
- Employees are working behind standard height and strength guardrails.  
- Employees are working inside operating cabs or stations that eliminate the possibility of accidentally falling into the water.  
- Employees are wearing an approved safety belt with a lifeline attached that prevents the possibility of accidentally falling into the water.))

(2) (~~You~~) Employers must provide (~~your~~) employees with PFDs approved by the United States Coast Guard for use on commercial or merchant vessels. The following are appropriate or allowable United States Coast Guard-approved PFDs:

Type of PFD	General Description
Type I	Off-shore life jacket - Effective for all waters or where rescue may be delayed.
Type II	Near-shore buoyant vest - Intended for calm, inland water or where there is a good chance of quick rescue.
Type III	Flotation aid - Good for calm, inland water, or where there is a good chance of rescue.
Type V	Flotation aids such as boardsailing vests, deck suits, work vests and inflatable PFDs marked for commercial use.

Commercially available PFDs are marked or imprinted with the type of PFD.

Type IV PFDs are throwable devices. They are used to aid persons who have fallen into the water.

((Note: •Commercially available PFDs are marked or imprinted with the type of PFD.  
•Type IV PFDs are throwable devices. They are used to aid persons who have fallen into the water.))

(3) (~~You~~) Employers must inspect PFDs before and after each use for defects and make sure that defective PFDs are not used.

(4) ~~((You))~~ Employers must provide approved life rings with an attached line on all docks, walkways, and fixed installations on or adjacent to water more than five feet deep.

(a) Life rings must:

(i) Be United States Coast Guard approved 30 inch size.

(ii) Have attached lines that are at least 90 feet in length.

(iii) Have attached lines at least 1/4 inch in diameter.

(iv) Have attached lines with a minimum breaking strength of 500 pounds.

(v) Be spaced no more than 200 feet apart.

(vi) Be kept in easily visible and readily accessible locations.

(b) Life rings and attached lines must:

(i) Be maintained to retain at least 75 percent of their designed buoyancy and strength.

(ii) Be provided in the immediate vicinity when employees are assigned work at other casual locations where the risk of drowning exists.

(c) Work assigned over water where the vertical drop from an accidental fall would be more than 50 feet, must be subject to specific procedures as approved by the department.

(5) Employees are not exposed to the danger of drowning when employees are:

(a) Working behind standard height and strength guardrails.

(b) Working inside operating cabs or stations that eliminate the possibility of accidentally falling into the water.

(c) Wearing an approved safety belt with a lifeline attached that prevents the possibility of accidentally falling into the water.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-180 Safety data sheets (SDSs) as exposure records.**

Important: Exposure records contain information about employees' exposure to toxic substances or harmful physical agents. Safety data sheets (SDSs) are one type of exposure record. The preservation of and access to exposure records is necessary to improve detection, treatment, and prevention of occupational diseases.

This rule supplements the chemical hazard communication rule by extending access to SDSs, or their alternative, after employment and after the hazardous chemical is no longer used in the workplace.

**~~((Your))~~ Employer responsibility:**

~~((You))~~ (1) Employers must preserve and provide access to safety data sheets (SDSs) or ~~((their))~~ alternative as exposure records.

<del>((You))</del> <u>Employers</u> must meet the requirements ...	in this section:
Preserve exposure records for at least <del>((thirty))</del> <u>30</u> years	WAC 296-800-18005
Inform current employees of exposure records	WAC 296-800-18010
Provide access to exposure records	WAC 296-800-18015

<del>((You))</del> <u>Employers</u> must meet the requirements ...	in this section:
Transfer records when ceasing to do business	WAC 296-800-18020

**((Note:**

- Employee medical and exposure records, chapter 296-802 WAC, requires the preservation and access to other exposure records including records such as workplace monitoring data and biological monitoring results and medical records. If you keep these other types of employee exposure records or employee medical records, you must comply with these additional requirements.
- This rule applies to every employer who maintains, makes, contracts for, or has access to SDSs for chemicals used in their workplace.
- The specific identity of a toxic substance may be withheld from a disclosable record if it is a verifiable trade secret. For trade secret requirements see WAC 296-901-14018 Trade secrets:))

(2) Employee medical and exposure records, chapter 296-802 WAC, requires the preservation and access to other exposure records including records such as workplace monitoring data and biological monitoring results and medical records. If employers keep these other types of employee exposure records or employee medical records, employers must comply with these additional requirements.

(3) This rule applies to every employer who maintains, makes, contracts for, or has access to SDSs for chemicals used in their workplace.

(4) The specific identity of a toxic substance may be withheld from a disclosable record if it is a verifiable trade secret. For requirements see WAC 296-901-14018 Trade secrets.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-18005 Preserve exposure records for at least (~~(thirty))~~ 30 years.** ~~((You))~~ Employers must keep safety data sheets (SDSs) and analysis using SDSs for at least (~~(thirty))~~ 30 years, including current, former, and future employers receiving transferred records. Preserve SDSs in any form, as long as the information is not altered and is retrievable. ~~((You))~~ Employers may keep alternative records instead of SDSs concerning the identity of a substance. The alternative record must also be kept for (~~(thirty))~~ 30 years and contain the following information:

- (1) Some record of the identity (chemical name, if known) of a substance or agent.
- (2) Where the substance or agent was used.
- (3) When the substance or agent was used.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-18010 Inform current employees of exposure records.**

(1) ~~((You))~~ Employers must inform current employees who are, or will be exposed to a toxic chemical of:

**((Note:**

- A chemical is toxic if:
  - The latest printed edition of the National Institute for Occupational Safety and Health (NIOSH) Registry of Toxic Effects of Chemical Substances (RTECS) lists the substance. This may be obtained online, CD-ROM, or on a computer tape.
  - Testing by or known to the employer has shown positive evidence that the substance is an acute or chronic health hazard.
  - A safety data sheet (SDS) kept by or known to the employer shows the material may be a hazard to human health:))

(a) The existence, location, and availability of SDSs or alternative records, and any other records covered by this rule.

(b) The person responsible for maintaining and providing access to records.

(c) Exposure records when the employee first enters into employment and then once a year thereafter.

(d) Existence and their rights of access to these records.

((Note: Informing employees of the availability of these records may be accomplished by posting, group discussion or by individual notifications.))

(2) ((You)) Employers must keep a copy of this rule and make copies available upon request to employees.

(3) ((You)) Employers must distribute to employees any informational materials about this rule that are made available to the employer by the department.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-18015 Provide access to exposure records. (1)**

((You)) Employers must provide access, whenever requested by an employee or their designated representative, to a relevant exposure record:

(a) In a reasonable time, place, and manner.

(b) Within ((fifteen)) 15 working days. If the employer cannot meet this requirement, ((they)) employers must inform the requesting party of the reason for the delay and the earliest date the record will be made available.

(c) Employee means any current, former or transferred worker.

(d) A relevant exposure record is an SDS or its alternative or analysis using SDSs or their alternative.

((Note: •Employee means any current, former or transferred worker.  
•A relevant exposure record is an SDS or its alternative or analysis using SDSs or their alternative.))

(2) ((You)) Employers must make sure ((labor and industries)) the department has prompt access to any exposure records and related analysis. This must be done without violation of any rights under the Constitution or the Washington Industrial Safety and Health Act that the employer chooses to exercise.

((Note: Nothing in this rule is meant to prevent employees and collective bargaining agents from getting access to information beyond that is required by this rule.))

(3) ((You)) Employers must make sure that whenever an employee or designated representative requests an initial copy of an exposure record, related analysis or new information added to the record:

(a) A copy of the record is provided without cost to the employee or their representative; or

(b) The facilities are made available for copying without cost to the employee or their representative; or

(c) The record is loaned to the employee or their representative for a reasonable time to enable a copy to be made.

Whenever a record has been previously provided without cost to an employee or designated representative, and the employee or designated representative request additional copies, the employer may charge reasonable, nondiscriminatory administrative costs (e.g., search and copying expenses, but no overhead expenses).

((Note: Whenever a record has been previously provided without cost to an employee or designated representative, and they request additional copies, the employer may charge reasonable, nondiscriminatory administrative costs (e.g., search and copying expenses, but no overhead expenses.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-18020 Transfer records when ceasing to do business.**

(1) ~~((You))~~ Employers must transfer all safety data sheets (SDSs) as exposure records to the successor employer, who must do the following to these records:

- (a) Received.
- (b) Preserve.
- (c) Keep unchanged.

(2) ~~((You))~~ Employers must if there is no successor to receive and preserve the employee exposure records:

(a) Notify affected current employees of their rights of access to records at least ~~((3))~~ three months prior to the cessation of the employer's business; and

(b) Transfer the records to the department, if required by a specific WISHA safety and health rule.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-190 Summary/rule.** ~~((You))~~ Employers must provide a safety bulletin board.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-19005 Provide a safety bulletin board in ~~((your))~~ the workplace.** ~~((You))~~ (1) Employers must install and maintain a safety bulletin board in every fixed workplace (establishment) that has eight or more employees. Make sure the safety bulletin board is large enough to post information such as the following:

- ~~((1))~~ (a) Safety bulletins.
- ~~((2))~~ (b) Safety newsletters.
- ~~((3))~~ (c) Safety posters.
- ~~((4))~~ (d) Accident statistics.
- ~~((5))~~ (e) Other safety educational material.

(2) Employers may want to post employer emergency phone numbers on the safety bulletin board.

~~((Note: You may want to post your emergency phone numbers on the safety bulletin board.))~~

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-200 Job safety and health law poster.** ~~((You))~~ Employers must post the job safety and health law poster, which informs ~~((your))~~ employees of their job safety and health protection rights.



AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-20005 Post and keep a current job safety and health law poster in ((your)) the workplace. ((You)) (1) Employers must post it where it can easily be seen by employees and keep it in good condition.**

(2) Other programs within labor and industries may require other workplace posters. These are:

- (a) Job safety and health protection;
- (b) Notice to employees if a job injury occurs;
- (c) Employee rights as a nonagricultural worker.

(3) Employers can obtain a free copy by printing it off our website. You can find the labor and industries office closest to you by:

(a) Checking the section of this standard titled "What are L&I, WISHA and DOSH" for contact information; or

(b) Calling 1-800-4BE SAFE (1-800-423-7233).

(4) Employers must post information from phone fax with the department.

**((Note:**

- Other programs within labor and industries may require other workplace posters. These are:
  - Job safety and health protection
  - Notice to employees — If a job injury occurs
  - Your rights as a nonagricultural worker
- You can obtain a free copy of labor and industries posters from any labor and industries office or by printing it off our website (<https://www.lni.wa.gov/FormPub/Detail.asp?DocID=1738>). You can find the labor and industries office closest to you by:
  - Checking the resource section of this book for regional offices; or
  - Calling 1-800-4BE SAFE (1-800-423-7233).))

AMENDATORY SECTION (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

**WAC 296-800-210 Lighting.** ((You)) Employers responsibility: To provide and maintain adequate lighting in ((your)) the workplace.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-21005 Provide and maintain adequate lighting.** This section establishes minimal levels of lighting for safety purposes only. Guidelines pertaining to optimal levels of lighting and illumination may be found in Practice for Industrial Lighting, ANSI/IES RP7-1979.

**((Note:** This section establishes minimal levels of lighting for safety purposes only. Guidelines pertaining to optimal levels of lighting and illumination may be found in Practice for Industrial Lighting, ANSI/IES RP7-1979. (See the resource section of this book on how to contact ANSI.))

(1) ((You)) Employers must provide and maintain adequate lighting for all work activities in your workplace. See the following table.

Lighting Table		
Activity	Minimum acceptable average lighting level in an area:  (Foot-candles)	Any one single measurement used to determine the average lighting level* cannot be less than:  (Foot-candles)
Indoor task	10	5
Outdoor task	5	2.5
Nontask activities for both indoor and outdoor	3	1.5

\* Lighting levels must be measured at ((thirty)) 30 inches above the floor/working surface at the task.

(2) ((You)) Employers must have adequate light for employees to see nearby objects that might be potential hazards or to see to operate emergency controls or other equipment, if general lighting is not available.

(3) Measuring lighting levels:

(a) Lighting levels can be measured with a light meter.

(b) Conversion information: 1 foot-candle = 1 lumen incident per square foot = 10.76 lux.

((Note: •Lighting levels can be measured with a light meter.  
•Conversion information: 1 foot-candle = 1 lumen incident per square foot = 10.76 lux.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-220 Housekeeping, drainage, and storage—Summary.**

The introduction has important information about building, electrical, and fire codes that may apply to employers in addition to WISHA rules. See "how do the safety and health rules relate to fire, building, and electrical codes" in the introduction section.

**((Your)) Employers responsibility:**

To provide ((your)) employees with a clean, dry, pest-free workplace.

((Note: The introduction has important information about building, electrical and fire codes that may apply to you in addition to WISHA rules. See "How do the WISHA rules relate to building, fire, and electrical codes" in the introduction section of this book.))

((You)) Employers must meet the requirements ...	in this section:
<b>Housekeeping</b>	
Keep ((your)) <u>the</u> workplace clean	WAC 296-800-22005
Sweep and clean ((your)) <u>the</u> workplace to minimize dust	WAC 296-800-22010
Keep ((your)) <u>the</u> workplace free of obstacles that interfere with cleaning	WAC 296-800-22015

<del>((You))</del> <u>Employers</u> must meet the requirements ...	in this section:
Control pests in <del>((your))</del> <u>the workplace</u>	WAC 296-800-22020
Make sure floors are maintained in a safe condition	WAC 296-800-22022
<b>Drainage</b>	
Keep <del>((your))</del> <u>the workroom floors</u> dry, when practical	WAC 296-800-22025
Provide proper drainage	WAC 296-800-22030
<b>Storage areas</b>	
Store things safely	WAC 296-800-22035
Control vegetation in your storage areas	WAC 296-800-22040

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-22005 Keep ~~((your))~~ the workplace clean.** ~~((You))~~ Employers must keep all areas of you workplace, passageways, storage rooms, and service rooms in a clean, orderly and sanitary condition to the extent the nature of the work allows.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-22010 Sweep and clean ~~((your))~~ the workplace to minimize dust.** (1) ~~((You))~~ Employers must sweep and clean ~~((your))~~ the workplace in a way that minimizes dust in the air as much as possible.  
(2) ~~((You))~~ Employers must, when practical, clean after hours so that ~~((your))~~ employees are not exposed to dust in the air on the job.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-22015 Keep ~~((your))~~ the workplace free of obstacles that interfere with cleaning.** ~~((You))~~ Employers must keep ~~((your))~~ the workplace clear of obstructions such as nails, splinters, loose boards and unnecessary holes and openings to make cleaning easier and more effective.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-22020 Control pests in ((your)) the workplace.** (1) ((You)) Employers must make sure each building in ((your)) the workplace is constructed, equipped and maintained so it restricts pests from entering or living in it. Pests include animals such as:

- (a) Rodents (rats, mice, and squirrels).
- (b) Birds (starlings, pigeons, and swallows).
- (c) Insects (bees, wasps, and mosquitoes).

(2) ((You)) Employers must take steps to effectively control pests in ((your)) the workplace, if they are detected.

Carry out a continuing and effective control program in the areas of ((your)) the workplace where pests have been detected.

(3) By handling dead or live pests including their waste products, attached parasites and other contaminated materials, employees may be exposed to certain health risks. These risks include, but are not limited to: Hanta virus, rabies, Lyme disease and psittacosis. Contact your local L&I office (see section of this standard titled "What are L&I, WISHA and DOSH" for contact information) or the public health department for more information about health risks and proper pest handling and disposal techniques. "Workplace" includes storage areas.

((Note:   
•By handling dead or live pests including their waste products, attached parasites and other contaminated materials, your employees may be exposed to certain health risks. These risks include, but are not limited to: Hanta virus, rabies, lyme disease and psittacosis. Contact your local L&I office (see resource section of this book) or the public health department for more information about health risks and proper pest handling and disposal techniques.   
•"Workplace" includes storage areas.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-22022 Make sure floors are maintained in a safe condition.** (1) ((You)) Employers must make sure floors are kept free of debris and icy build up on interior floors. This includes:

- (a) Buildings.
- (b) Platforms.
- (c) Walkways and driveways.
- (d) Storage yards.
- (e) Docks.
- (f) Walk-in freezers.

(2) ((You)) Employers must use a nonslip coating on all polished floors.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-22025 Keep ((your)) workroom floors dry, when practical.** ((You)) Employers must do the following to help keep ((your)) employees dry if wet processes are used in ((your)) the work area:

- (1) Maintain drainage away from the work area; and

- (2) Provide false floors, platforms, or other dry places where employees can stand, where practical; or
- (3) Provide appropriate waterproof footgear.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-22030 Provide proper drainage.** ((Year)) Employers must provide all areas where employees work, such as yards, basements, or garages, with adequate drainage.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-22035 Store things safely.** (1) ((Year)) Employers must store materials so they do not create a hazard.

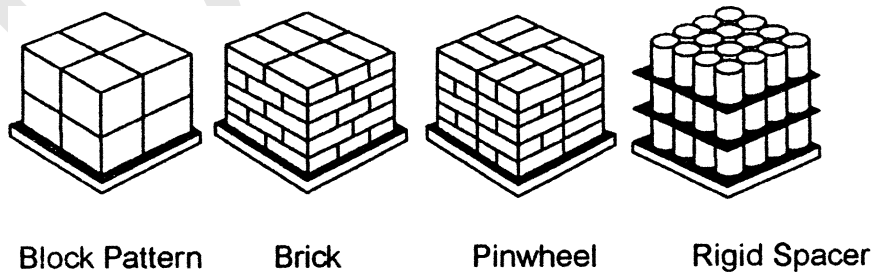
(2) ((Year)) Employers must keep workplace storage areas free from accumulation of materials that could create hazards from tripping, fire, or explosion.

(3) ((Year)) Employers must secure stored items such as bundles, containers, and bags to prevent them from falling, sliding, or collapsing by doing one or more of the following:

- (a) Stacking.
- (b) Racking.
- (c) Blocking.
- (d) Interlocking.
- (e) Otherwise securing them.

(4) ((Year)) Employers must make sure stored items are limited in height so that they are stable and secure to prevent sliding or collapse.

**Examples of Proper Material Storage**



AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-22040 Control vegetation in ((year)) storage areas.** ((Year)) Employers must control vegetation in ((year)) storage areas when necessary to create a safe working environment.

**WAC 296-800-230 Summary.**

**~~((Your))~~ Employers responsibility:**

~~((You))~~ Employers must provide safe drinking (potable) water, bathrooms, washing facilities, eating areas and garbage and waste disposal in ~~((your))~~ the workplace.

**General requirements for all workplaces.**

<del>((You))</del> <u>Employers</u> must meet the requirements...	in this section:
<b>Drinking water</b>	
Provide safe drinking (potable) water in <del>((your))</del> <u>the</u> workplace	WAC 296-800-23005
Clearly mark water outlets that are not fit for drinking (nonpotable)	WAC 296-800-23010
Make sure that systems delivering not-fit-for-drinking (nonpotable) water prevent backflow into drinking water systems	WAC 296-800-23015
<b>Bathrooms and washing facilities</b>	
Provide bathrooms for <del>((your))</del> employees	WAC 296-800-23020
Provide convenient and clean washing facilities	WAC 296-800-23025
<b>Eating areas and food service</b>	
Make sure eating areas are safe and healthy	WAC 296-800-23040
Follow these requirements if <del>((you provide))</del> food service is <u>provided</u> to <del>((your))</del> employees	WAC 296-800-23045
<b>Garbage and waste disposal</b>	
Dispose of garbage and waste safely	WAC 296-800-23050
Remove garbage and waste in a way that does not create a health hazard	WAC 296-800-23055
<b>Lunchrooms and personal service rooms</b>	
Provide a separate lunchroom if employees are exposed to toxic substances if they are allowed to eat and drink on the job site	WAC 296-800-23060
Provide showers when required for employees working with chemicals	WAC 296-800-23065
Provide change rooms when required	WAC 296-800-23070

<del>((You))</del> <u>Employers</u> must meet the requirements...	in this section:
Make sure any work clothes ( <del>(you provide))</del> <u>provided</u> are dry	WAC 296-800-23075

Industry specific standards may have industry specific requirements. Please refer to the industry specific standard for bathroom and washing facility requirements.

~~((Note: Some industries may have additional rules on bathrooms and washing facilities. Some examples include:~~

Industry	WAC
Agriculture; indoor sanitation and temporary labor camps	chapter 296-307 WAC
Carcinogens; general regulated area requirements	WAC 296-62-07308
Charter boats	WAC 296-115-050
Compressed air work	WAC 296-36-160(5)
Construction	WAC 296-155-140
Temporary labor camps	WAC 296-24-12507))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-23005 Provide safe drinking (potable) water in ~~((your))~~ the workplace.** (1) ~~((You))~~ Employers must provide safe drinking (potable) water for employees for:

- (a) Washing themselves.
- (b) Personal service rooms.
- (c) Cooking.
- (d) Washing premises where food is prepared or processed.
- (e) Washing food, eating utensils, or clothing.

(2) ~~((You))~~ Employers must make sure when providing movable or portable drinking water dispensers that they are:

- (a) Capable of being closed.
- (b) Kept in sanitary condition.
- (c) Equipped with a tap.
- (3) ~~((You))~~ Employers must prohibit employees from:

- (a) Using shared drinking cups or utensils.
- (b) Using open containers such as barrels, pails, and tanks that require employees to dip or pour drinking water, even if the containers have covers.

**(4) Definitions that apply to this section:**

(a) Potable water. Water that you can safely drink that meets specific safety standards prescribed by the United States Environmental Protection Agency's *National Interim Primary Drinking Water Regulations*, published in 40 C.F.R. Part 141, and 40 C.F.R. 147.2400.

(b) Personal service rooms are used for activities not directly connected with a business' production or service function such as first aid, medical services, dressing, showering, bathrooms, washing and eating.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-23010 Clearly mark the water outlets that are not fit for drinking (nonpotable).** (1) (~~Y04~~) Employers must mark water outlets that are not fit for drinking (nonpotable), such as those used for industrial processes or firefighting, so they will not be used for:

- (a) Drinking.
- (b) Washing themselves, except in emergencies.
- (c) Cooking.
- (d) Washing food, eating utensils, or clothing.

(2) (~~Y04~~) Employers must prohibit the use of nonpotable water containing substances that could create unsafe conditions such as:

- (a) Concentrations of chemicals, such as lead or chlorine.
- (b) Fecal coliform bacteria.

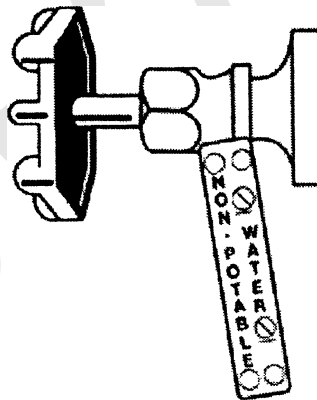
(3) As long as the nonpotable water is free of substances that could create unsafe conditions, the water can be used for cleaning both:

- (a) Work premises used for activities other than food preparation or processing; and
- (b) Personal service rooms, such as bathrooms.

Employers may need to follow additional requirements for emergency washing facilities. See WAC 296-800-150 First aid, for more information.

**((Note:** As long as the nonpotable water is free of substances that could create unsafe conditions, the water can be used for cleaning both:  
-Work premises used for activities other than food preparation or processing; and  
-Personal service rooms, such as bathrooms.

**Reference:** You may need to follow additional requirements for emergency washing facilities. See WAC 296-800-150 First aid, for more information.))



Outlets for water not fit to drink must be marked.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-23015 Make sure that systems delivering not-fit-for-drinking (nonpotable) water prevent backflow into drinking water systems.** (~~Y04~~) Employers must make sure that systems delivering not-



fit-for-drinking (nonpotable) water prevent backflow into drinking water systems.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-23020 Provide bathrooms for ((you)) employees.**

**((Exemption:** You do not have to provide bathrooms:  
For mobile crews or at work locations not normally attended by employees, if there is transportation immediately available to nearby bathrooms that meet the requirements of this section.))

(1) ((You)) (a) Employers must provide bathrooms with the appropriate number of toilets for your employees at every workplace based on Table 1.

(b) Employers do not have to provide bathrooms for mobile crews or at work locations not normally attended by employees, if there is transportation immediately available to nearby bathrooms that meet the requirements of this section.

(2) ((You)) Number of toilets.

(a) Employers must have an appropriate number of toilets for each gender, based on the number of male and female employees at ((you)) the workplace.

~~((For example, if you have thirty-seven men and seventeen women, you need to have three toilets for the men and two toilets for the women, based on Table 1.))~~

(b) Separate bathrooms for men and women are not required if the bathroom:

(i) Will only be occupied by one person at a time;

(ii) Can be locked from the inside;

(iii) Contains at least one toilet.

(3) ((You)) Employers must make sure each toilet is in a separate compartment with a door and walls or partitions for privacy.

(4) A shared bathroom (multiple toilets without enclosures) counts as one toilet no matter how many toilets it contains. In bathrooms used only by men, urinals may be substituted for up to 1/3 of the required toilets.

**Table 1  
Required Number of Employee Toilets at  
Every Workplace**

<b>Maximum Number of Employees Present at Any One Time During a Shift</b>	<b>Minimum Number of Toilets Required</b>
1 to 15	1
16 to 35	2
36 to 55	3
56 to 80	4
81 to 110	5
111 to 150	6
Over 150	One additional toilet for each additional 40 employees

((Note: A shared bathroom (multiple toilets without enclosures) counts as one toilet no matter how many toilets it contains. In bathrooms used only by men, urinals may be substituted for up to 1/3 of the required toilets.))

((4) You) (5) Employers must provide toilet paper and a toilet paper roll holder for each toilet.

((5) You) (6) Employers must make sure bathrooms are maintained in a clean and sanitary condition.

((6) You) (7) Employers must make sure the sewage disposal method does not endanger the health of employees.

((Exemption: Separate bathrooms for men and women are not required if the bathroom:  
• Will only be occupied by one person at a time.  
• Can be locked from the inside.  
• Contains at least one toilet.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-23025 Provide convenient and clean washing facilities.**

((Exemption: You do **not** have to provide washing facilities for:  
• Mobile crews or work locations not normally attended by employees, if there is immediately available transportation to nearby washing facilities that meet the requirements of this rule.))

((You)) (1) Employers must provide convenient and clean washing facilities for employees including:

((1)) (a) Sinks or basins for personal washing.

((2)) (b) Hot and cold water, or lukewarm (tepid), running water in each sink and basin.

((3)) (c) Hand soap or similar cleaning agents.

((4)) (d) One of the following:

((a)) (i) Individual paper or cloth hand towels.

((b)) (ii) Individual sections of clean continuous cloth towel-  
ing.

((e)) (iii) Air blowers for drying hands, located near the sinks and basins.

(2) Employers do not have to provide washing facilities for mobile crews or work locations not normally attended by employees, if there is immediately available transportation to nearby washing facilities that meet the requirements of this rule.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-23040 Make sure eating areas are safe and healthy.**

(1) ((You)) Employers must make sure employees are not allowed to eat and drink in:

(a) Bathrooms.

(b) Areas exposed to toxic substances.

(2) ((You)) Employers must make sure food is not stored in bathrooms or areas exposed to toxic substances.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-23045 Follow these requirements if ~~((you provide))~~ food service is provided to ~~((your))~~ employees.** (1) ~~((You))~~ Employers must make sure all food service facilities and operations ~~((you make))~~ made available follow sound hygiene principles.

(2) ~~((You))~~ Employers must make sure the food is:

(a) Unspoiled.

(b) Protected from contamination during processing, preparation, handling, and storage.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-23050 Dispose of garbage and waste safely.** (1)

~~((You))~~ Employers must make sure garbage containers are:

(a) Kept in a clean and sanitary condition.

(b) Made from smooth, corrosion resistant materials.

(c) Easily cleaned or are disposable.

(d) Equipped with a solid tight-fitting cover unless you can keep them in a sanitary condition without a cover.

(2) ~~((You))~~ Employers must provide enough garbage containers to make sure they:

(a) Are conveniently located to encourage their use.

(b) Will not be overfilled.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-23055 Remove garbage and waste in a way that does not create a health hazard.** ~~((You))~~ Employers must remove all sweepings, solid and liquid wastes, refuse, and garbage as often as needed to keep the workplace in a sanitary condition.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-23060 Provide a separate lunchroom if employees are exposed to toxic substances if ~~((they))~~ employees are allowed to eat and drink on the job site.** (1) ~~((You))~~ Employers must provide a lunchroom separate from the work area if employees are exposed to toxic substances.

(2) ~~((You))~~ Employers must use Table 2 to determine the required square footage in ~~((your))~~ the lunchroom based on the number of employees using the room at any one time.

**Table 2**  
**Maximum Number of Employees Using Lunchroom**  
**at One Time**

Number of Persons	Square Feet per Person
25 and less	13
26-74	12
75-149	11
150 and over	10

(3) Employers do not have to provide a separate lunchroom if it is convenient for employees to leave the workplace to eat and drink.

~~((Note: You do not have to provide a separate lunchroom if it is convenient for employees to leave the workplace to eat and drink.))~~

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-23065 Provide showers when required for employees working with chemicals.** (1) ~~((You))~~ Employers must provide showers for employees if:

(a) ~~((They))~~ Employees work with chemicals that could cause an occupational illness; and

(b) The chemicals remain on the skin between work shifts.

(2) ~~((You))~~ Employers must make sure employees who work with such chemicals shower at the end of their shifts.

(a) Make sure showers have:

(i) Soap or other cleansing agents.

(ii) Hot and cold water with a common discharge line.

(b) Provide individual, clean towels for each employee who is required to shower.

(c) Provide at least one shower for every ~~((ten))~~ 10 employees (or every fraction of 10) of each gender.

(d) Table 3 shows the number of showers to provide based on a "fraction of 10."

~~((Note: Table 3 shows the number of showers to provide based on a "fraction of 10."))~~

**Table 3**

Number of Employees of Each Gender	Number of Showers
1-10	1
11-20	2
21-30	3
31-40	4
41-50	5

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-23070 Provide change rooms when required. (1)**

~~((You))~~ Employers must provide change rooms when employees are required by a particular standard to wear protective clothing because of the possibility of contamination with toxic materials.

(2) ~~((You))~~ Employers must make sure change rooms have separate storage facilities for street clothes and protective clothing.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-23075 Make sure any work clothes (~~you provide~~) provided are dry.** ~~((You))~~ Employers must make sure when providing work clothes to employees that the clothing provided is dry if the clothing:

- (1) Gets wet during use; or
- (2) Is washed before it is reused.

AMENDATORY SECTION (Amending WSR 20-03-154, filed 1/21/20, effective 2/21/20)

**WAC 296-800-240 Summary.**

**~~((Your))~~ Employer responsibility:**

~~((You))~~ Employers must eliminate exposure to *environmental tobacco smoke* in ~~((your))~~ the office work environment.

<del>((You must meet the requirements ...</del>	<u>in this section:</u>
<u>Prohibit tobacco smoke in your office work environment</u>	WAC 296-800-24005

**Note:** This rule does not preempt any federal, state, municipal, or other local authority's regulation of indoor smoking that is more protective than this section.

**Definition:** Office work environment is an indoor or enclosed occupied space where clerical work, administration, or business is carried out. In addition, it includes:

- Other workplace spaces controlled by the employer and used by office workers, such as cafeterias, meeting rooms, and washrooms;
- Office areas of manufacturing and production facilities, not including process areas;
- Office areas of businesses such as food and beverage establishments, agricultural operations, construction, commercial trade, services, etc.

**Link:** For work environments outside the office, contact your local health department using the link <https://www.doh.wa.gov/YouandYourFamily/Tobacco/LawsRegulations> or by calling them directly.)

(1) Employers must meet the requirements of WAC 296-800-24005 Prohibit tobacco smoke in the office work environment.

(2) This rule does not preempt any federal, state, municipal, or other local authority's regulation of indoor smoking that is more protective than this section.

(3) Definitions that apply to this section:

(a) Office work environment is an indoor or enclosed occupied space where clerical work, administration, or business is carried out.

(b) In addition, office work environment includes:

(i) Other workplace spaces controlled by the employer and used by office workers, such as cafeterias, meeting rooms, and washrooms.

(ii) Office areas of manufacturing and production facilities, not including process areas.

(iii) Office areas of businesses such as food and beverage establishments, agricultural operations, construction, commercial trade, services, etc.

(4) For work environments outside the office, contact the local health department using the link <https://doh.wa.gov/>.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-24005 Prohibit tobacco smoke in ((your)) the office work environment.** ((Exemption:)) (1) The minimum criteria specified in this rule do not apply to outdoor structures provided for smokers such as gazebos or lean-tos that maintain the ((twenty-five)) 25 feet distance from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited.

((1) You) (2) Employers must prohibit smoking in ((your)) the office work environment.

((2) You) (3) Employers must use administrative controls to prevent tobacco smoke from entering ((your)) the office from outside the building.

((3) You) (4) Employers must make sure that outside smoking areas used by ((your)) employees are at least ((twenty-five)) 25 feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-250 Summary.**

**((Your)) Employer responsibility:**

To make sure stairs used by employees are safe.

<u>((You)) Employers must meet the requirements ...</u>	<u>in this section:</u>
<u>Provide fixed stairs where required</u>	<u>WAC 296-800-25005</u>
<u>Provide stairs that minimize hazards</u>	<u>WAC 296-800-25010</u>
<u>Provide handrails and stair railings</u>	<u>WAC 296-800-25015</u>

This rule does not apply to:

(1) Stairs used exclusively for fire exit purposes;

(2) Construction operations (See WAC 296-24-76503 for the specifications for the safe design and construction of fixed general industrial stairs.);

(3) Private buildings or residences;

(4) Articulated stairs (for example, stairs used at a marina);

(5) Nonindustrial and monumental stairs are excluded as they are not industrial stairs; however, when public and private building steps are located at loading or receiving docks, in maintenance areas, etc., or are used exclusively by employees, the requirements of this rule must apply.

The section titled "What are L&I, WISHA and DOSH" has important information about building, electrical, and fire codes that may apply in addition to WISHA rules. See "how do the safety and health rules relate to fire, building, and electrical codes" in WAC 296-800-16015.

**((Exemptions:**

This rule does **not** apply to:

- ◆ Stairs used exclusively for fire exit purposes
- ◆ Construction operations (See WAC 296-24-76503 for the specifications for the safe design and construction of fixed general industrial stairs.)
- ◆ Private buildings or residences
- ◆ Articulated stairs (for example, stairs used at a marina)
- ◆ Nonindustrial and monumental stairs are excluded as they are not industrial stairs; however, when public and private building steps are located at loading or receiving docks, in maintenance areas, etc., or are used exclusively by employees, the requirements of this rule must apply.

**Note:**

The introduction has important information about building, electrical and fire codes that may apply to you in addition to WISHA rules. See "How do the WISHA rules relate to building, fire, and electrical codes" in the introduction section of this book.)

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-25005 Provide fixed stairs where required. (1)**

~~((You))~~ Employers must install fixed stairs where:

(a) Employees travel between different levels on a predictable and regular basis.

(b) Access to platforms is required to give routine attention to equipment under operation.

(c) Daily movement between elevations is required to gauge, inspect, and maintain equipment where those work assignments may expose employees to acids, caustics, gases, or other harmful substances.

(d) Carrying tools or equipment by hand is a normal work requirement.

(2) ~~((You))~~ Employers must not use spiral stairways except as secondary exit routes.

(3) Employers can use fixed ladders for climbing elevated structures, such as tanks, towers, and overhead traveling cranes, when their use is common practice in your industry.

(4) Employers can use winding stairways on tanks and similar round structures if the structure's diameter is at least five feet.

(5) Employers could use a spiral stairway as an exit route in a restricted area that lacks room for a conventional stairway.

(6) Definitions that apply to this section:

(a) A stairway or fixed stairs is a series of steps and landings:

(i) Leading from one level or floor to another;

(ii) Leading to platforms, pits, boiler rooms, crossovers, or around machinery, tanks, and other equipment;

(iii) Used more or less continuously or routinely by employees or only occasionally by specific individuals;

(iv) With three or more risers.

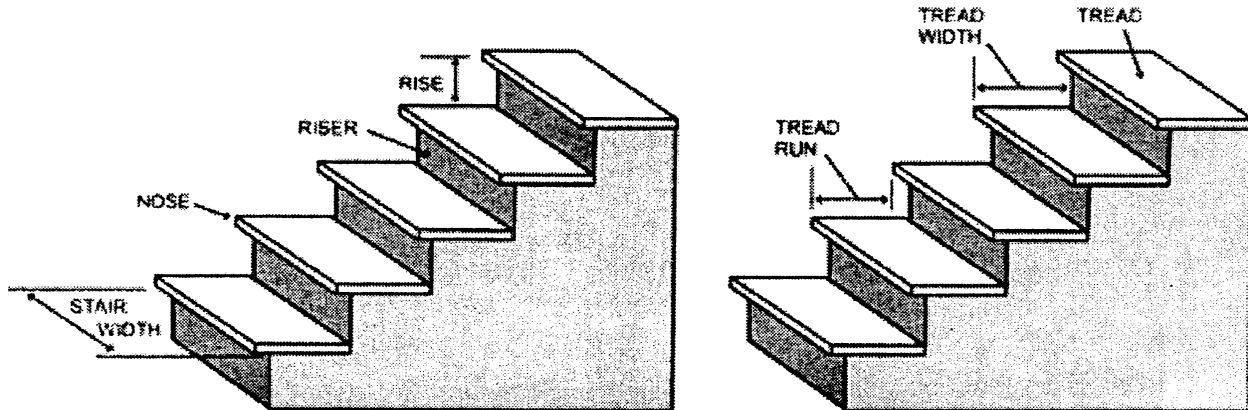
(b) A riser is the vertical part of the step at the back of a tread that rises to the front of the tread above.

(c) A tread is the horizontal part of the step. Tread width is the distance from the front of the tread to the back.

- ((Note: •You can use fixed ladders for climbing elevated structures, such as tanks, towers, and overhead traveling cranes, when their use is common practice in your industry.  
 •You can use winding stairways on tanks and similar round structures if the structure's diameter is at least five feet.  
 •You could use a spiral stairway as an exit route in a restricted area that lacks room for a conventional stairway.

- Definitions:**
- A stairway or fixed stairs is a series of steps and landings:
    - Leading from one level or floor to another.
    - Leading to platforms, pits, boiler rooms, crossovers, or around machinery, tanks, and other equipment.
    - Used more or less continuously or routinely by employees or only occasionally by specific individuals.
    - With three or more risers.
  - A riser is the vertical part of the step at the back of a tread that rises to the front of the tread above.
  - A tread is the horizontal part of the step. Tread width is the distance from the front of the tread to the back.))

**Stair Components**



Stair Railing is removed to show detail.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-25010 Provide stairs that minimize hazards. (1)**

- ((You)) Employers must make sure stairs have slip-resistant treads.
- (2) ((You)) Employers must make sure that stairs with four or more risers have:
  - (a) Railings on the open sides of all exposed stairways and stair platforms.
  - (b) Handrails on at least one side of closed stairways, preferably on the right side while descending.
- (3) ((You)) Employers must provide a platform where doors or gates open directly on a stairway. The swing of the door must not reduce the effective width of the platform to less than 20 inches.
- (4) Other rules may apply to building fixed stairs; refer to WAC 296-24-74015 and 296-24-740 of the general safety and health standard.

((Note: To see all of the rules for building fixed stairs, refer to WAC 296-24-75011 and 296-24-765 of the General safety and health standard.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-25015 Provide handrails and stair railings.**

((Exemption: Vehicle service pit stairways are exempt from the rules for stairway railing and guards, if they would prevent a vehicle from moving into a position over the pit.

**Definition:** •A handrail is a single bar or pipe on brackets from a wall or partition to provide a continuous handhold for persons using a stair.



•A stair railing is a vertical barrier attached to a stairway with an open side, to prevent falls. The top surface of the stair railing is used as a handrail.)

(1) ~~((You))~~ Definitions that apply to this section:

(a) A handrail is a single bar or pipe on brackets from a wall or partition to provide a continuous handhold for persons using a stair.

(b) A stair railing is a vertical barrier attached to a stairway with an open side, to prevent falls. The top surface of the stair railing is used as a handrail.

(2) Employers must make sure stairways less than ~~((forty-four))~~ 44 inches wide have:

(a) At least one handrail, preferably on your right side as you go down the stairs, if both sides are enclosed; or

(b) At least one stair railing on the open side, if one side is open; or

(c) One stair railing on each side, if both sides are open.

~~((2—You))~~ (3) Employers must make sure stairways more than ~~((forty-four))~~ 44 inches wide but less than ~~((eighty-eight))~~ 88 inches wide have:

(a) One handrail on each enclosed side.

(b) One stair railing on each open side.

~~((3—You))~~ (4) Employers must make sure stairways at least ~~((eighty-eight))~~ 88 inches wide have:

(a) One handrail on each enclosed side.

(b) One stair railing on each open side.

(c) One intermediate stair railing located approximately midway of the width.

~~((4—You))~~ (5) Employers must equip winding stairs with a hand-rail, offset to prevent walking on all portions of the treads, less than six inches wide.

**(Reference:** Railings must consist of a top rail, intermediate rail, and posts. To see all of the rules for building handrails and stairway railings, refer to WAC 296-24-75011, of the general safety and health standard.)

(a) Railings must consist of a top rail, intermediate rail, and posts. To see all of the rules for building handrails and stairway railings, refer to WAC 296-24-74015, of the general safety and health standard.

(b) For spiral staircases, see WAC 296-24-74005(8).

(6) Vehicle service pit stairways are exempt from the rules for stairway railing and guards, if they would prevent a vehicle from moving into a position over the pit.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-270 Summary.**

**~~((Your))~~ Employer responsibility:**

To make sure that the buildings, floors, and other structures in your workplace are safe, well-built, and not overloaded.

<del>((You))</del> Employers must meet the requirements ...	in this section:
Do not overload floors or roofs	WAC 296-800-27005
Make sure that floors are safe	WAC 296-800-27010

<del>((You))</del> <u>Employers</u> must meet the requirements ...	in this section:
Make sure floors can support equipment that moves and has motion	WAC 296-800-27015
Post approved load limits (weight limits) for floors	WAC 296-800-27020

The introduction (see WAC 296-800-100) has important information about fire, building, and electrical codes that may apply in addition to WISHA rules. See "how do the safety and health rules relate to fire, building, and electrical codes" in the introduction section.

~~((Note: The introduction has important information about fire, building and electrical codes that may apply to you in addition to WISHA rules. See "How do the WISHA rules relate to fire, building and electrical codes" in the introduction section of this book.))~~

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-27005 Do not overload floors or roofs.** ~~((You))~~ Em-  
ployers must prohibit overloading roofs and floors of any building or other structure with more weight than is approved by the building official.

AMENDATORY SECTION (Amending WSR 20-03-154, filed 1/21/20, effective 2/21/20)

**WAC 296-800-27010 Make sure that floors are safe.** (1) ~~((You))~~ Em-  
ployers must make sure that floors including their parts and structural members are safe.

(2) ~~((You))~~ Employers must make sure floors are of substantial construction and kept in good repair. This includes floors of:

- (a) Buildings.
- (b) Platforms.
- (c) Walks and driveways.
- (d) Storage yards.
- (e) Docks.

(3) ~~((You))~~ Employers must make sure that structures are designed, constructed, and maintained to provide a safety factor of ~~((4))~~ four times the imposed maximum strain.

(4) If you notice bowing, cracking, or other indications of excessive strain on a structure, ~~((you))~~ employers must take action to make sure it is safe.

(5) These requirements apply to all buildings that were built or those that had complete or major changes or repairs done after May 7, 1974.

~~((Note: This rule applies to all buildings that were built or those that have had complete or major changes or repairs done after 5/7/74.))~~

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-27015 Make sure floors can support equipment that moves or has motion.** ((~~You~~)) (1) Employers must make sure flooring of buildings, ramps, docks, trestles and other fixed structures that supports equipment that moves or has motion such as vibration, must not be less than two and one-half inch material.

(2) Exemption: Where flooring is covered by steel floor plates, two-inch material may be used.

((**Note:** Where flooring is covered by steel floor plates, 2-inch material may be used.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-27020 Post approved load limits (weight limits) for floors.** (1) ((~~You~~)) Employers must post approved load limits (weight limits) for floors used for mercantile, business, industrial or storage purposes in an obvious place.

(2) ((~~You~~)) Employers must as the owner, or owner's agent, of a building (or other part of a workplace) post the load approved by the building official by:

(a) Supplying and affixing a durable ((~~metal~~)) sign that is marked with the approved load.

(b) Placing the ((~~metal~~)) sign in an obvious spot in the space to which it applies.

(c) Replacing the ((~~metal~~)) sign if it is lost, defaced, damaged, or removed.

(3) Exemption: This rule applies to the floor that supports shelving, but not to the shelves themselves.

((**Note:** This rule applies to the floor that supports shelving, but not to the shelves themselves.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-280 Basic electrical rules.**

**Summary.**

**((~~Your~~)) Employer responsibility:**

To protect ((~~your~~)) employees from hazards when working with electrical equipment, tools, and appliances.

(( <del>You</del> )) <u>Employers</u> must meet the requirements ...	in this section:
Inspect all electrical equipment (( <del>your</del> )) employees use to make sure the equipment is safe	WAC 296-800-28005
Make sure all electrical equipment is used for its approved or listed purpose	WAC 296-800-28010

<del>(You)</del> <b>Employers</b> must meet the requirements ...	in this section:
Make sure electrical equipment used or located in wet or damp locations is designed for such use	WAC 296-800-28015
Make sure electrical equipment that is not marked is not used	WAC 296-800-28020
Identify disconnecting means	WAC 296-800-28022
Maintain electrical fittings, boxes, cabinets, and outlets in good condition	WAC 296-800-28025
Working space around electrical equipment	WAC 296-800-28027
Maintain all flexible cords and cables in good condition and use safely	WAC 296-800-28030
Guard electrical equipment to prevent your employees from electrical hazards	WAC 296-800-28035
Make sure electrical equipment is effectively grounded	WAC 296-800-28040
Make sure electrical equipment has overcurrent protection	WAC 296-800-28045

**(Exemptions:**

- These rules apply to all electrical equipment used in the workplace, except for:
  - Electrical installations and equipment on ships, watercraft, railway rolling stock, aircraft and all automotive vehicles other than mobile homes and recreational vehicles.
  - Electrical installations and equipment used to generate, transmit, transform or distribute power exclusively for operation of rolling stock.
  - Electrical installations of railways used exclusively for signaling and communication purposes.
  - Installations underground in mines.
  - Installations of communication equipment under the exclusive control of communications utilities, located outdoors or in building spaces used exclusively for such installations.
  - Installations controlled and used exclusively by electric utilities for:
    - Communication or metering purposes; or
    - Generating, controlling, transforming, transmitting and distributing electric energy that are located:
      - ◆ In buildings used exclusively by the utility for such purposes; or
      - ◆ Outdoors on property owned or leased by the utility; or
      - ◆ On public highways, streets and roads; or
      - ◆ Outdoors by established rights on private property.

**Note:**

- The introduction has important information about fire, building and electrical codes that may apply to you in addition to WISHA rules. See "How do the WISHA rules relate to fire, building and electrical codes" in the introduction section of this book.
- These rules guide how electrical equipment is used and maintained in your workplace. They should not be used in place of your local electrical codes if you are installing electrical wiring, electrical circuits or electrical distribution equipment.
- This rule applies to 600 volts or less. Requirements for specific equipment or special installation are found in chapter 296-24 WAC, Part L.)

These rules apply to all electrical equipment used in the workplace, except for:

(1) Electrical installations and equipment on ships, watercraft, railway rolling stock, aircraft and all automotive vehicles other than mobile homes and recreational vehicles.

(2) Electrical installations and equipment used to generate, transmit, transform or distribute power exclusively for operation of rolling stock.

(3) Electrical installations of railways used exclusively for signaling and communication purposes.

(4) Installations underground in mines.

(5) Installations of communication equipment under the exclusive control of communications utilities, located outdoors or in building spaces used exclusively for such installations.

(6) Installations controlled and used exclusively by electric utilities for:

(a) Communication or metering purposes; or

(b) Generating, controlling, transforming, transmitting and distributing electric energy that are located:

(i) In buildings used exclusively by the utility for such purposes; or

(ii) Outdoors on property owned or leased by the utility; or

(iii) On public highways, streets and roads; or

(iv) Outdoors by established rights on private property.

(7) The introduction has important information about fire, building, and electrical codes that may apply to you in addition to WISHA rules. See "how do the safety and health rules relate to fire, building, and electrical codes" in the introduction section.

(8) These rules guide how electrical equipment is used and maintained in the workplace. They should not be used in place of local electrical codes if installing electrical wiring, electrical circuits, or electrical distribution equipment.

(9) This rule applies to 600 volts or less. Requirements for specific equipment or special installation are found in chapter 296-24 WAC, Part L.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-28005 Inspect all electrical equipment ((your)) employees use to make sure the equipment is safe. ((You)) (1) Employers must inspect electrical equipment to make sure there are no recognized hazards likely to cause death or serious physical harm to employees.**

**(2) Determine the safety of the equipment by considering the ((following:)) suitability for installation and use as evidenced by:**

**((1)) (a) Approved or listed by a recognized testing laboratory, such as Underwriters Laboratories (UL) or other approving agency.**

**((2)) (b) Labeled or listed for the purpose it is being used.**

**((3)) (c) Mechanical strength and durability, including the adequacy of the protection provided by parts designed to enclose and protect other equipment.**

**((4)) (d) Wire-bending and connection space.**

**((5)) (e) Electrical insulation.**

**((6)) (f) Heating effects under all conditions of use.**

**((7)) (g) Arcing effects.**

**((8)) (h) Classification by type, size, voltage, current capacity, and specific use.**

**((9)) (3) Other factors that contribute to the practical safeguarding of persons using or likely to come in contact with the equipment.**

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-28010 Make sure all electrical equipment is used for its approved or listed purpose.**

**(Definitions:** •Electrical outlets are places on an electric circuit where power is supplied to equipment through receptacles, sockets and outlets for attachment plugs.  
•Receptacles are outlets that accept a plug to supply electric power to equipment through a cord or cable.))

(1) ~~((You))~~ Definitions that apply to this section:

(a) Electrical outlets are places on an electric circuit where power is supplied to equipment through receptacles, sockets, and outlets for attachment plugs.


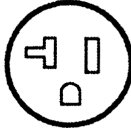
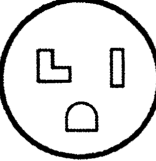
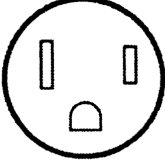


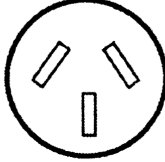
(b) Receptacles are outlets that accept a plug to supply electric power to equipment through a cord or cable.

(2) Employers must make sure electrical outlets have an ampere rating that is not less than the electrical load to be served.

~~((2—You))~~ (3) Employers must make sure the proper mating configuration exists when connecting the attachment plug to a receptacle.

~~((3—You))~~ (4) Employers must make sure electrical outlets, cord connectors, attachment plugs and receptacles will not accept an attachment plug with a different voltage or current rating than that for which the device is intended.

**(Note:** A 20-ampere T-slot receptacle or cord connector may accept a 15-ampere attachment plug of the same voltage rating.))

<b>SOME COMMON ELECTRICAL OUTLET (RECEPTACLE) CONFIGURATIONS</b>				
	<b>15 Ampere</b>	<b>20 Ampere</b>	<b>30 Ampere</b>	<b>50 Ampere</b>
<b>Two Pole 3 - Wire Grounding 125 Volt</b>				
<b>Three Pole 3 - Wire 125/250 Volt</b>				
<b>Note: A 20-ampere "T-slot" outlet or cord connector may accept a 15-ampere attachment plug of the same voltage rating.</b>				

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-28015 Make sure electrical equipment used or located in wet or damp locations is designed for such use.** (1) ~~((You))~~ Employers must make sure fixtures and receptacles located in wet or damp locations are approved for such use. They must be constructed or installed so that water cannot enter or accumulate in wireways, lamp-holders, or other electrical parts.

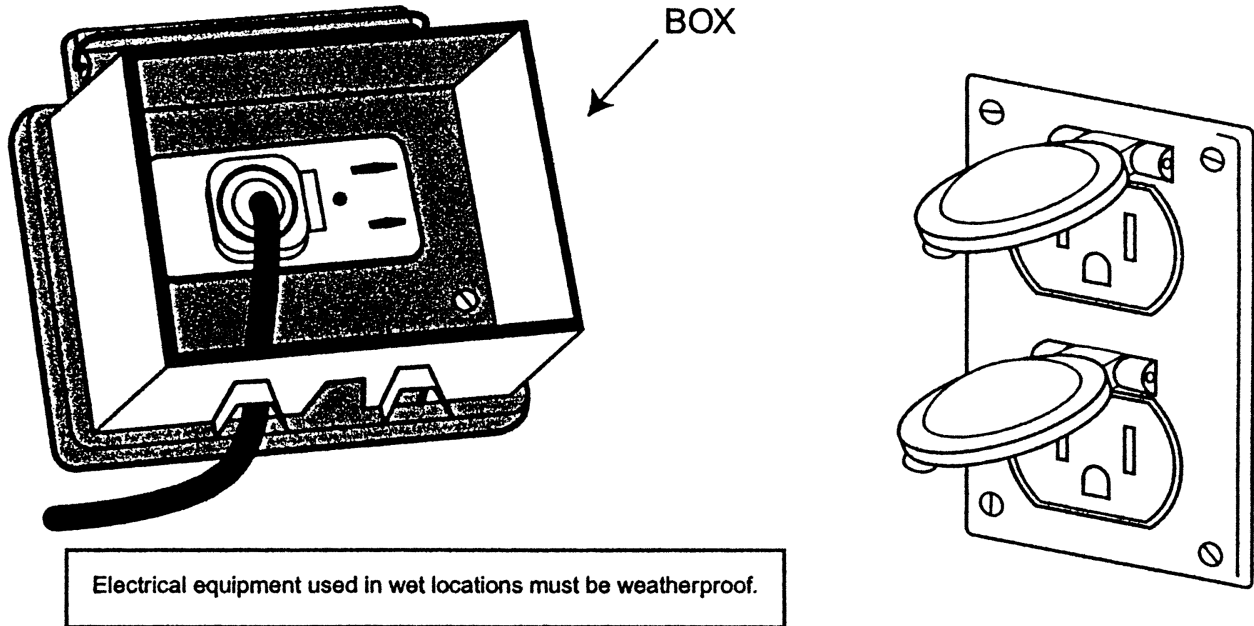
(2) ~~((You))~~ Employers must make sure cabinets, cutout boxes, fittings, boxes, and panelboard enclosures in damp or wet locations are:

(a) Installed to prevent moisture or water from entering and accumulating inside.

(b) Mounted so there is at least a 1/4 inch airspace between the enclosure and the wall or other supporting surface. Nonmetallic enclosures may be installed on a concrete, masonry, tile, or similar surface without the airspace.

(c) Weatherproof when used in wet locations.

Switches, circuit breakers, and switchboards located in wet locations must be in weatherproof enclosures.



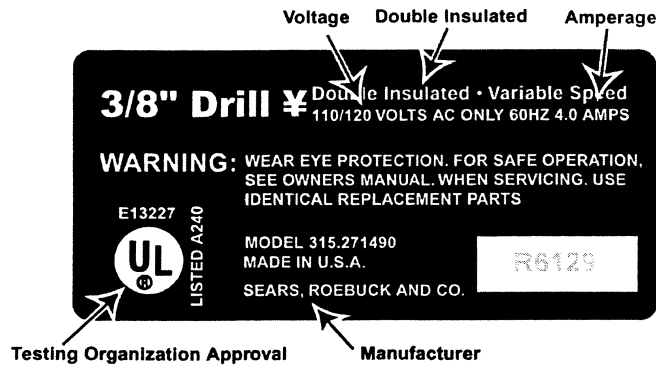
AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-28020 Make sure electrical equipment that is not marked is not used.** (1) Electric equipment may not be used unless the following markings have been placed on the equipment:

(a) The manufacturer's name, trademark, or other descriptive marking by which the organization responsible for the product may be identified; and

(b) Voltage, current and wattage, or other ratings as necessary.

(2) ((You)) Employers must make sure markings are durable and appropriate to the environment.



Electrical tools and equipment marked to show manufacturer, approvals and power requirements.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-28022 Identify disconnecting means.** (1) (~~You~~) Employers must make sure the disconnecting means (such as on/off switches and circuit breakers) is marked to show when it is open and closed and what equipment it controls, unless located and arranged so the purpose is obvious.

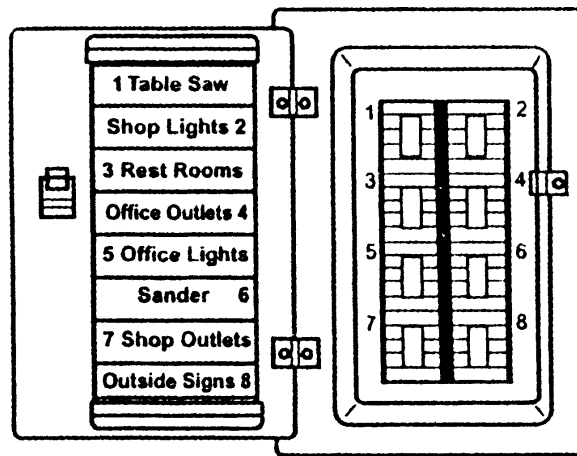
(2) (~~You~~) Employers must install the disconnecting means at a readily accessible location nearest the point of entrance of the service-entrance conductors.

(3) (~~You~~) Employers must make sure the disconnecting means for each motor and appliance is marked, at the disconnecting means or overcurrent device, to show when the circuit is open and closed and what circuit it controls, unless located and arranged so the purpose is obvious.

(4) (~~You~~) Employers must make sure each service, feeder and branch circuit is marked, at its disconnecting means or overcurrent device, to show when the circuit is open and closed and what circuit it controls, unless located and arranged so the purpose is obvious.

(5) (~~You~~) Employers must make sure markings are durable and appropriate to the environment.





Electrical panel circuit breakers labeled to show the equipment or circuits they control.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-28025 Maintain electrical fittings, boxes, cabinets and outlets in good condition.** ((~~You~~)) Employers must do the following when using covers and openings:

- (1) When conductors enter boxes, cabinets, or fittings:
  - (a) Protect the conductor (wires) from abrasion.
  - (b) Effectively close the openings where conductors enter.
  - (c) Effectively close all unused openings.
- (2) Provide pull boxes, junction boxes, and fittings with covers approved for the purpose.
- (3) Make sure each outlet box has a cover, faceplate, or fixture canopy in completed installations.
- (4) Make sure covers for outlet boxes with openings for flexible cord pendants have bushings to protect the cord, or have a smooth and well rounded surface where the cord touches the opening.
- (5) Ground metal covers.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-28027 Working space around electrical equipment.** This section applies to equipment that operates at 600 volts or less.

- (1) ((~~You~~)) Employers must provide and maintain sufficient access and working space around all electrical equipment to permit ready and safe operation and maintenance of the equipment.
- (2) ((~~You~~)) Employers must make sure equipment likely to require examination, adjustment, servicing, or maintenance while energized has:

(a) Working space in front of the equipment that is equal to the width of the equipment or ((~~thirty~~)) 30 inches, whichever is greater.

(b) Sufficient working space to permit equipment doors or hinged panels to open at least 90 degrees.

(c) Working space in the direction of access to live parts that is not less than that listed in Table XX. Distances are measured from the live parts if they are exposed or from the enclosure front or opening if they are enclosed.

(d) Clear working space about service equipment, switchboards, panelboards, or motor control centers that extends from the grade, floor, or platform to a height of:

(i) 6.25 Feet for installations built before August 13, 2007.

(ii) 6.5 Feet for installations built on or after August 13, 2007. If the height of the equipment is greater than 6.5 feet, the minimum headroom may not be less than the height of the equipment. Other equipment associated with the electrical installation and located above or below the electric equipment may extend not more than six inches beyond the front of the electric equipment.

((Note: •Other equipment associated with the electrical installation and located above or below the electric equipment may extend not more than 6 inches beyond the front of the electric equipment.))

(3) ((~~You~~)) Employers must make sure working space is:

(a) Not used for storage.

(b) Suitably guarded when normally enclosed live parts are exposed for inspection or servicing in a passageway or general open space.

(4) ((~~You~~)) Employers must provide at least one entrance of sufficient area to give access to the working space about electric equipment.

(5) ((~~You~~)) Employers must provide adequate lighting (WAC 296-800-210) for all working spaces about service equipment, switchboards, panelboards, and motor control centers installed indoors. In electric equipment rooms, the illumination must not be controlled by automatic means only.

This table shows the area ((~~you~~)) employers must keep clear depending on the layout of the electrical equipment.

**Table XX**

Conditions <sup>2</sup>	Minimum Clear Distance <sup>3</sup>	Minimum Clear Distance <sup>3</sup>
	0 - 150 volts to ground	151 - 600 volts to ground
A <sup>1</sup>	3 ft.	3 ft.
B	3 ft. <sup>1</sup>	3 1/2 ft.
C	3 ft.	4 ft.

1. Minimum clear distances may be 0.7 m (2.5 ft) for installations built before April 16, 1981.

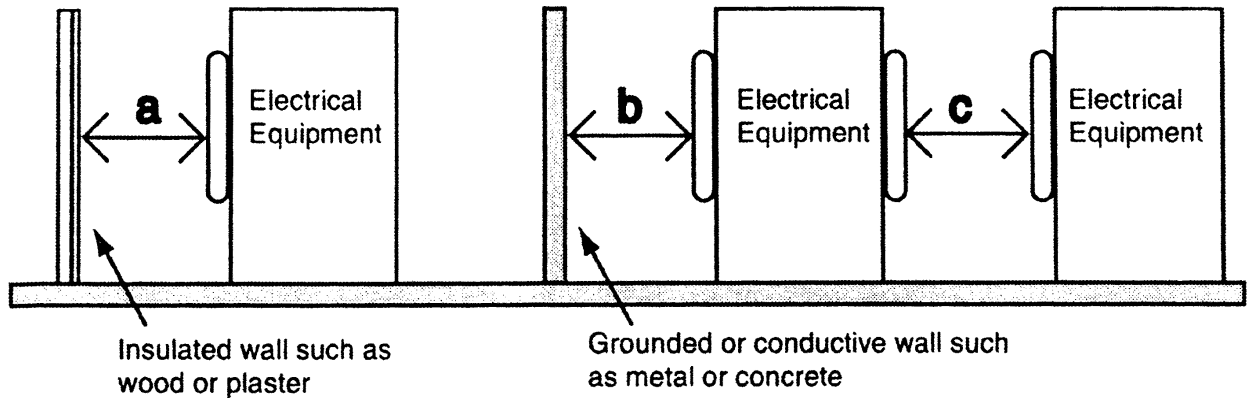
2. Conditions A, B, and C are as follows:

A = Exposed live parts on one side and no live or grounded parts on the other side of the working space, or exposed live parts on both sides effectively guarded by suitable wood or other insulating material. Insulated wire or insulated bus bars operating at not over 300 volts aren't considered live parts.

B = Exposed live parts on one side and grounded parts on the other side.

C = Exposed live parts on both sides of the workspace (not guarded as provided in condition A with the operator between the panels).

3. Working space is not required in back of assemblies such as dead-front switchboards or motor control centers where there are no renewable or adjustable parts (such as fuses or switches) on the back and where all connections are accessible from locations other than the back. Where rear access is required to work on deenergized parts on the back of enclosed equipment, a minimum working space of 30 in. horizontally must be provided.



Distances are measured from live parts if they are exposed or from the enclosure front if live parts are enclosed.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-28030 Maintain all flexible cords and cables in good condition and use safely.**

**((Exemption:** These rules do not apply to cords and cables that are an internal part of factory assembled appliances and equipment, like the windings on motors or wiring inside electrical panels.

**Note:** Flexible cords and cables are typically used to connect electrical equipment to a power source. These cords can have an electrical plug to connect to a power source or can be permanently wired into the power source. The terms flexible cords, extension cord, cables and electrical cords all refer to a type of flexible cord.))

These rules do not apply to cords and cables that are an internal part of factory assembled appliances and equipment, like the windings on motors or wiring inside electrical panels.

Flexible cords and cables are typically used to connect electrical equipment to a power source. These cords can have an electrical plug to connect to a power source or can be permanently wired into the power source. The terms flexible cords, extension cord, cables, and electrical cords all refer to a type of flexible cord.

(1) ((You)) Employers must perform visual inspections((-)) on portable cord- and plug-connected equipment and extension cords before use on each work shift. Defects and damage to look for include:

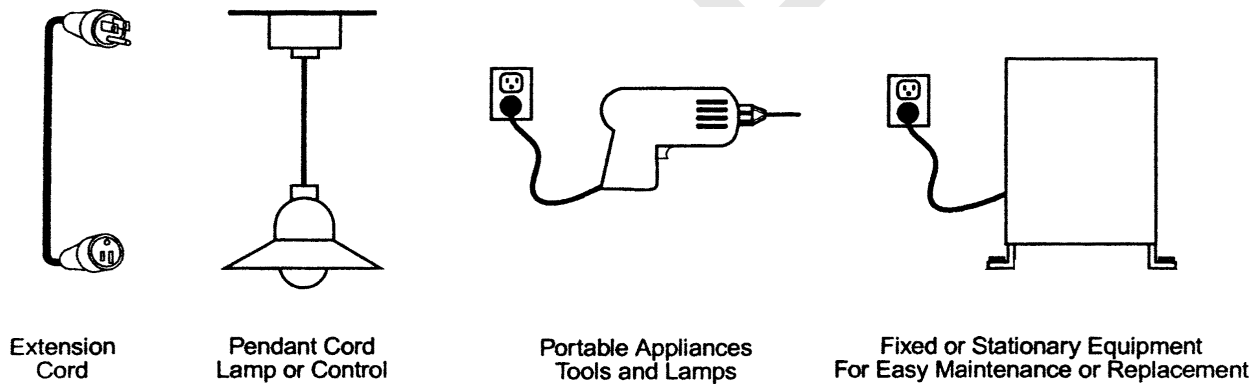
- (a) Loose parts.
- (b) Deformed or missing pins.
- (c) External defects and damage.
- (d) Damage to the outer covering or insulation.
- (e) Pinched or crushed covering or insulation that might indicate internal damage.

(f) Employers do not need to visually inspect portable cord- and plug-connected equipment and extension cords that stay connected once in place and are not exposed to damage until they are moved.

**((Exemption:** You do not need to visually inspect portable cord- and plug-connected equipment and extension cords that stay connected once in place and are not exposed to damage until they are moved.))

- (2) ((Y0u)) Employers must remove from service any defective or damaged cord until repaired and tested.
- (3) ((Y0u)) Employers must use flexible cords only as follows:
- (a) Wiring of equipment and appliances.
  - (b) Data processing cables approved as a part of the data processing system.
  - (c) Pendants.
  - (d) Wiring for fixtures.
  - (e) Connecting portable lamps or appliances to an approved outlet with an attachment plug.
  - (f) Connecting stationary equipment that is frequently changed with an attachment plug energized from an approved outlet.
  - (g) Preventing noise or vibration transmission.
  - (h) Appliances where the fastening means and mechanical connections are designed to permit removal for maintenance and repair if the appliance is equipped with an attachment plug energized from an approved outlet.
  - (i) Elevator cables.
  - (j) Wiring of cranes and hoists.
  - (k) Portable and mobile signs.
  - (l) Connection of moving parts.

**Common Acceptable Uses of Flexible Cords**



Extension cords (flexible cord sets) may be used on a temporary basis if the rules described in the temporary use section, this subsection (3) are followed.

((Note: Extension cords (flexible cord sets) may be used on a temporary basis if you follow the rules described in the temporary use section. WAC 296-800-28030(3).))

- (4) ((Y0u)) Employers must make sure flexible cords are not:
- (a) Used as a substitute for fixed wiring of a structure.
  - (b) Run through holes in walls, ceilings, or floors.
  - (c) Run through doorways, windows, or similar openings.
  - (d) Attached to building surfaces.
  - (e) Concealed behind building walls, ceilings, or floors.
  - (f) Used to raise or lower equipment.
- (5) ((Y0u)) Employers must make sure flexible cords and cables are approved and suitable for:
- (a) The way they will be used.
  - (b) The location where they will be used.
- (6) ((Y0u)) Employers must not fasten or hang cords and equipment in any way that could cause damage to the outer jacket or insulation of the cord.
- (7) ((Y0u)) Employers must make sure insulation on flexible cords and cables is intact.

(8) ~~((You))~~ Employers must make sure flexible cords and electrical cords are:

(a) Connected to devices and fittings so that any pulling force on the cord is prevented from being directly transmitted to joints or terminal screws on the plug.

(b) Used only in continuous lengths without splice or tap.

~~((Note: Hard service flexible cords No. 12 or larger may be repaired or spliced if the insulation, outer sheath properties, and use characteristics of the cord are retained.))~~

(c) Hard service flexible cords No. 12 or larger may be repaired or spliced if the insulation, outer sheath properties, and use characteristics of the cord are retained.

(9) ~~((You))~~ Employers must prohibit ~~((you))~~ employees from using wet hands to plug or unplug equipment or extension cords if the equipment is energized.

(10) ~~((You))~~ Employers must provide the following for temporary use.

(a) Make sure temporary electrical power and lighting installations that operate at 600 volts or less are used only:

(i) During and for remodeling, maintenance, repair or demolition of buildings, structures, or equipment, and similar activities.

(ii) For experimental or developmental work.

(iii) During emergencies.

(iv) For no more than ~~((ninety))~~ 90 days for:

(A) Christmas decorative lighting.

(B) Carnivals.

(C) Other similar purposes.

(b) Make sure flexible cords and cables are protected from accidental damage as might be caused, for example, by sharp corners, projections, and doorways or other pinch points.

(c) Remove temporary wiring immediately upon completion of the project or purpose for which the wiring was installed.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-28035 Guard electrical equipment to prevent ~~((you))~~ employees from electrical hazards.** (1) ~~((You))~~ Employers must guard live parts of electric equipment operating at 50 volts or more against accidental contact by any of the following means:

(a) ~~((By))~~ Approved cabinets or other forms of approved enclosures.

(b) ~~((By))~~ Location in a room, vault, or similar enclosure that is accessible only to employees qualified to work on the equipment. Entrances to rooms and other guarded locations containing exposed live parts must be marked with conspicuous warning signs forbidding unqualified persons to enter.

(c) ~~((By))~~ Permanent, substantial partitions or screens so that only employees qualified to work on the equipment will have access within reach of the live parts. Any openings must prevent accidental contact with live parts by employees or objects employees carry.

(d) ~~((By))~~ Location on a balcony, gallery, or platform that will exclude unqualified persons.

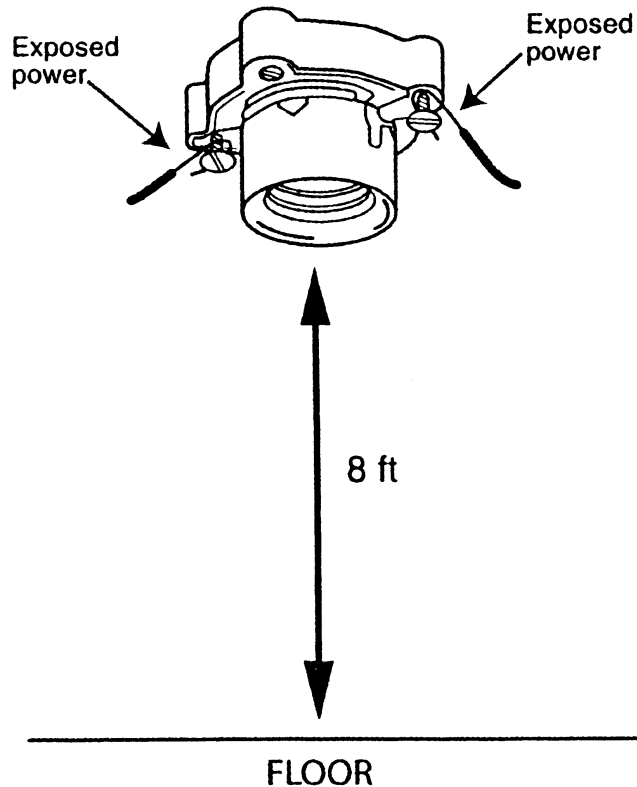
(e) ~~((By))~~ Being located eight feet or more above the floor or other working surface.

(2) ((Y0u)) Employers must make sure all electrical appliances, fixtures, lampholders, lamps, rosettes, and receptacles do not have live parts normally exposed to employee contact.

Rosettes and cleat type lampholders at least 8 feet above the ground may have exposed parts.

(3) In locations where electric equipment would be exposed to physical damage, enclosures or guards must be so arranged and of such strength as to prevent such damage.

**Live Parts Guarded by Distance**



(4) ((Y0u)) Employers must mark entrances to rooms and other guarded locations containing exposed live parts with conspicuous warning signs forbidding unqualified persons to enter.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-28040 Make sure electrical equipment is effectively grounded.** (1) ((Y0u)) Employers must make sure the path to ground from circuits, equipment, and enclosures is permanent, continuous, and effective.

(2) ((Y0u)) Employers must make sure exposed noncurrent-carrying metal parts of cord- and plug-connected equipment that may become energized are grounded under any of the following conditions:

(a) ((Hf)) When operated at over 150 volts to ground, except for guarded motors and metal frames of electrically heated appliances if the appliance frames are permanently and effectively insulated from ground.

(b) Equipment in hazardous locations. (WAC 296-24-95613)

(c) ~~((If the))~~ When equipment is of the following types:

(i) Hand-held motor-operated tools.

(ii) Stationary and fixed motor-operated tools.

(iii) Light industrial motor-operated tools.

(iv) Refrigerators.

(v) Freezers.

(vi) Air conditioners.

(vii) Clothes washers and dryers.

(viii) Dishwashers.

(ix) Electrical aquarium equipment.

(x) Sump pumps.

(xi) Hedge clippers.

(xii) Electric lawn mowers.

(xiii) Electric snow blowers.

(xiv) Wet scrubbers.

(xv) Tools likely to be used in damp or wet locations.

(xvi) Appliances used by employees standing on the ground, on metal floors or working inside of metal tanks or boilers.

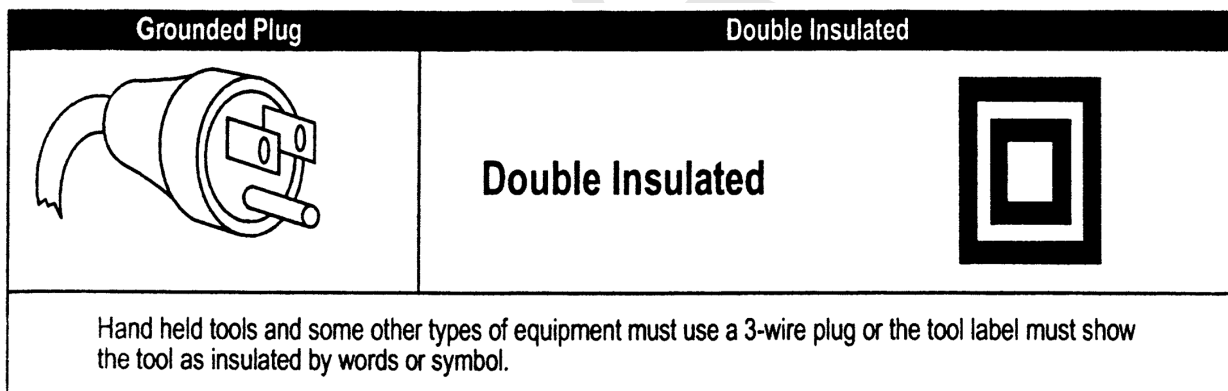
(xvii) Portable hand lamps.

(xviii) Portable and mobile X-ray and associated equipment.

(xix) Tools likely to be used in wet and conductive locations.

Grounding can be achieved by using tools and appliances equipped with an equipment grounding conductor (three-prong plug and grounded electrical system).

**(Note:** Grounding can be achieved by using tools and appliances equipped with an equipment grounding conductor (three-prong plug and grounded electrical system).)



(3) ~~((You))~~ Employers must make sure exposed metal parts of fixed equipment that do not conduct electricity, but may become energized, are grounded under any of the following conditions:

(a) ~~((If))~~ The equipment is in a wet or damp location and is not isolated.

(b) If within 8 feet vertically or 5 feet horizontally of ground or grounded metal objects and subject to employee contact.

(c) If in electrical contact with metal.

(d) If in a hazardous (classified) location.

(e) If supplied by a metal-clad, metal-sheathed, or grounded metal raceway wiring method.

(f) If equipment operates with any terminal at over 150 volts to ground.

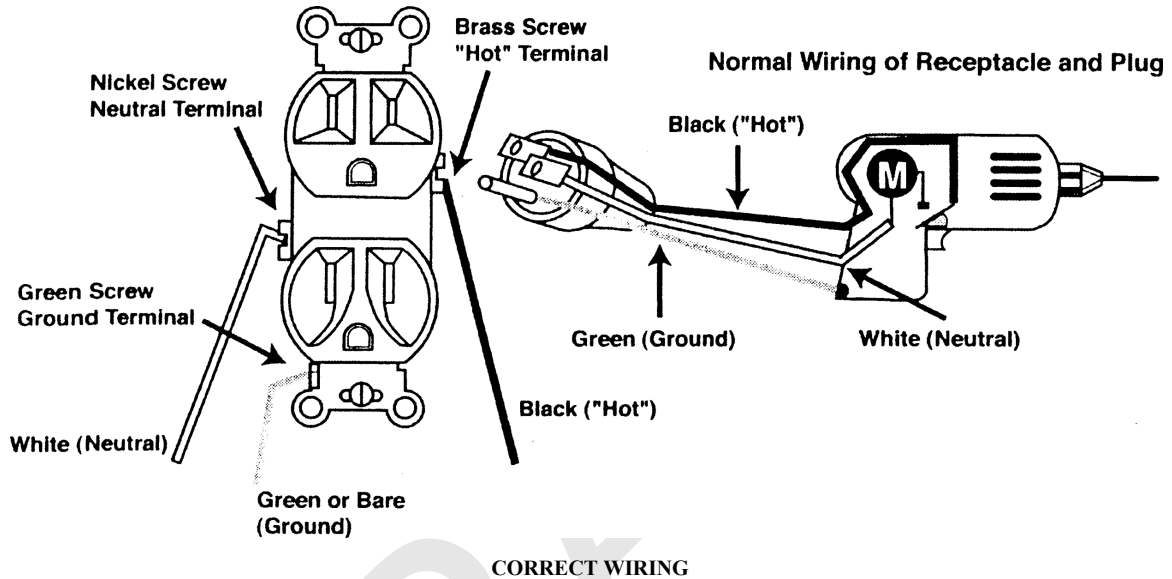
(4) ~~((You))~~ Employers must make sure a conductor used as a grounded conductor is identifiable and distinguishable from all other conductors.

(5) ((Yeu)) Employers must make sure a conductor used as an equipment grounding conductor is identifiable and distinguishable from all other conductors.

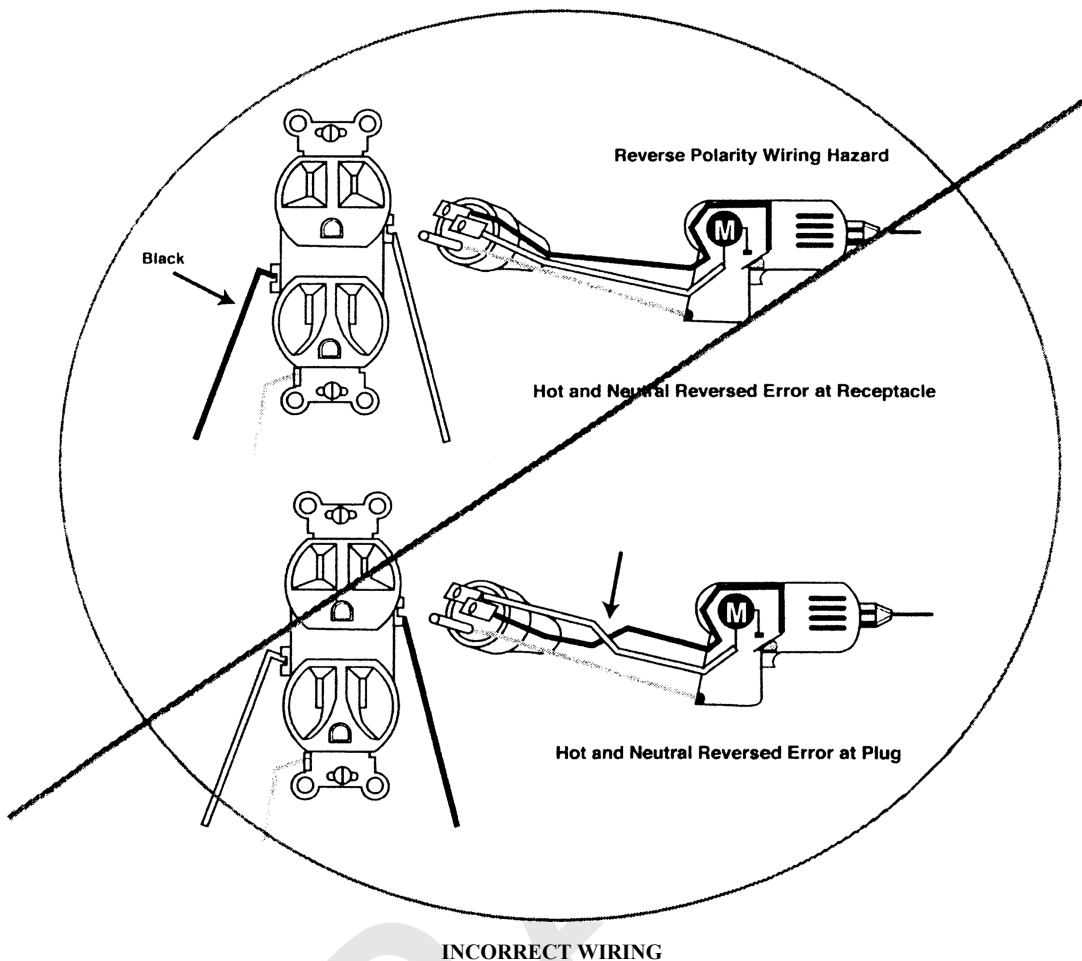
(6) ((Yeu)) Employers must make sure grounded conductors are not attached to any terminal or lead so as to reverse polarity of the electrical outlet or receptacle. See illustration - Examples of wiring.

(7) ((Yeu)) Employers must make sure grounding terminals or grounding-type devices on receptacles, cords, connectors, or attachments plugs are not used for purposes other than grounding.

**Examples of Wiring**







AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-28045 Make sure electrical equipment has overcurrent protection.** (1) ~~((You))~~ Employers must make sure all electrical circuits that are rated at 600 volts or less have overcurrent protection.

(2) ~~((You))~~ Employers must protect conductors and equipment from overcurrent according to their ability to safely conduct electrical current.

(3) ~~((You))~~ Employers must make sure overcurrent devices do not interrupt the continuity of grounded conductors unless all conductors are opened at the same time, except for motor running overload protection.

(a) Locate or shield fuses and circuit breakers so that employees will not be burned or otherwise injured by their operation.

(b) Make sure handles or levers of circuit breakers, and similar parts that may move suddenly in such a way that persons in the vicinity are likely to be injured by being struck by them, are guarded or isolated.

(4) ~~((You))~~ Employers must make sure the following fuses and thermo cutouts have disconnecting means:

(a) All cartridge fuses accessible to nonqualified persons.

(b) All fuses in circuits over 150 volts to ground.

(c) All thermal cutouts on circuits over 150 volts to ground.

(5) The disconnecting means must be installed so (~~you can disconnect~~) the fuses or thermal cutouts can be disconnected without disrupting service to equipment and circuits unrelated to those protected by the overcurrent device.

(6) (~~You~~) Employers must provide easy access to overcurrent devices for each employee or authorized building management personnel.

(7) (~~You~~) Employers must locate overcurrent devices:

(a) Away from easily ignitable material.

(b) Where they are not exposed to physical damage.

(8) (~~You~~) Employers must make sure circuit breakers clearly indicate whether they are open (off) or closed (on).

(9) (~~You~~) Employers must install circuit breakers that operate vertically so the handle is in the "up" position when the breaker is closed (on).

Circuit breakers used as switches in 120-volt, fluorescent lighting circuits must be approved for that purpose and marked "SWD."

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-300 Summary—Portable fire extinguishers.**

**Important:**

The following WISHA rule applies to the placement, use, maintenance, and testing of portable fire extinguishers provided for the use of employees. (~~Your~~) The local fire marshal also enforces fire codes which address fire safety that are more comprehensive and may go beyond WISHA rules.

**(~~Your~~) Employer responsibility:**

To provide readily accessible, appropriate portable fire extinguishers for employees in (~~your~~) the workplace.

( <del>You</del> ) <u>Employers</u> must meet the requirements ...	in this section:
Provide portable fire extinguishers in ( <del>your</del> ) <u>the</u> workplace	WAC 296-800-30005
Select and distribute portable fire extinguishers in ( <del>your</del> ) <u>the</u> workplace	WAC 296-800-30010
Make sure that portable fire extinguishers are kept fully charged, in operable condition, and left in their designated places	WAC 296-800-30015
Inspect and test all portable fire extinguishers	WAC 296-800-30020
Train ( <del>your</del> ) employees to use portable fire extinguishers	WAC 296-800-30025

(~~Exemptions:~~)

(~~You~~) (1) Employers are exempt from the requirements of portable fire extinguishers if (~~you~~) employers have the following:

((-)) (a) A written fire safety policy that requires the immediate and total evacuation of employees from the workplace when there is a fire alarm signal; and

((-)) (b) An emergency action plan and a fire prevention plan which meet the requirements of WAC 296-24-567; and

((-)) (c) Portable fire extinguishers in your workplace that are not accessible for employee use.

((+) (2) If another WISHA rule requires portable fire extinguishers, then ~~((you))~~ employers must comply with these requirements.

((+) (3) Where extinguishers are provided but are not intended for employee use and ~~((you))~~ employers have an emergency action plan and a fire prevention plan (which meet the requirements of WAC 296-24-567), then only the requirements of WAC 296-800-30020 apply.

(4) The introduction has important information about building, electrical, and fire codes that may apply in addition to WISHA rules. See "how do the safety and health rules relate to fire, building, and electrical codes" in the introduction section.

((Note: The introduction has important information about building, electrical and fire codes that may apply to you in addition to WISHA rules. See "How do the WISHA rules relate to building, fire and electrical codes" in the introduction section of this book.))

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-30005 Provide portable fire extinguishers in ~~((your))~~ the workplace.** (1) ~~((You))~~ Employers must provide approved portable fire extinguishers for ~~((your))~~ the workplace and distribute them so they are readily accessible.

Make sure that ~~((your))~~ portable fire extinguisher does not use extinguishing agents such as carbon tetrachloride or chlorobromomethane extinguishing agents. In addition, soda-acid foam, loaded stream, antifreeze and water extinguishers of the inverting type must not be recharged or placed into service.

(2) ~~((You))~~ Employers must mount, locate, and identify portable fire extinguishers so employees can easily reach them, without being subjected to possible injury.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-30010 Select and distribute portable fire extinguishers in ~~((your))~~ the workplace.** (~~Exemption:~~)

((+) (1) This does not apply to the portable fire extinguishers provided for employees to use outside of workplace buildings or structures.

~~((You))~~ (2) Employers are exempt from the distribution requirements of this rule if ~~((you have))~~ the employer has an emergency action plan (that meets requirements of WAC 296-24-567):

((-) (a) Which designates certain employees to be the only employees authorized to use the available portable fire extinguishers; and

((-)) (b) Requires all other employees in the fire area to immediately evacuate the affected work area upon the sounding of the fire alarm.

((You)) Employers must provide the correct type of portable fire extinguishers and distribute them in ((you)) the workplace, depending on the type, size, and severity of fire that could occur.

The type of portable fire extinguishers ((you)) employers must have in ((you)) the workplace depends on the types of fire hazards that exist in ((you)) the workplace.

**Fire Extinguisher Distance Table**

Type of fire hazard extinguisher	Maximum distance from the fire hazard to a fire extinguisher
Type of fire hazard Wood, cloth, paper, rubber (Class A fire hazards)	No more than 75 feet (22.9 m) Note: ((You)) <u>Employers</u> may use uniformly spaced standpipe systems or hose stations instead of Class A portable fire extinguishers, if they meet the requirements of WAC 296-24-602 or 296-24-607.
Liquids, grease, gases (Class B fire hazards)	No more than 50 feet (15.2 m) Note: ((You)) <u>Employers</u> may choose to use a smaller fire extinguisher in lieu of that required for the 50 foot distance. If ((you)) <u>employers</u> choose to have the smaller fire extinguisher, the travel distance must not be greater than 30 feet. See UFC Standard 10 Chapter 3 for the basic minimum extinguisher rating allowed.
Live electrical equipment and circuits (Class C fire hazards)	Distribute any Class C portable fire extinguishers the same pattern that you have for any Class A or Class B fire hazards. Note: If the electrical equipment is deenergized, ((you)) <u>employers</u> may use a Class A or Class B portable fire extinguisher.
Powder, flakes, and residue from combustible metals, like magnesium and titanium, that build up over a 2-week period (Class D fire hazards)	No more than 75 feet (22.9 m)

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-30015 Make sure that portable fire extinguishers are kept fully charged, in operable condition, and left in their designated places.** ((You)) Employers must make sure that fire extinguishers found with deficiencies are removed from service and replaced with a suitable fire extinguisher.

**WAC 296-800-30020 Inspect and test all portable fire extinguishers.**

(1) ~~((You))~~ Employers must perform inspections:  
Make sure that portable fire extinguishers or hose systems (used instead of fire extinguishers) are visually inspected monthly.

(2) ~~((You))~~ Employers must perform maintenance checks:

(a) Make sure that all portable fire extinguishers are subjected to an annual maintenance check.

(b) Keep records of all annual maintenance checks and make available to the department upon request.

(i) For ~~((1))~~ one year after the last maintenance check; or

(ii) For the life of the shell, whichever is less.

(c) Make sure that equal protection is provided when portable fire extinguishers are removed from service for maintenance and re-charging.

~~((Exemption:))~~ (d) Most stored pressure extinguishers do not require an internal examination. Examples of those that do require an internal examination are those containing a loaded stream agent.

(3) ~~((You))~~ Employers must perform hydrostatic testing except in the following:

~~((Exemption:))~~

~~((1))~~ (a) Dry chemical extinguishers that have nonrefillable disposable containers are exempt from this requirement.

~~((2))~~ (b) Manually pressurized pumptanks are exempt from this requirement.

(4) ~~((You))~~ Employers must make sure that portable extinguishers are hydrostatically tested:

(a) At the intervals listed in Table 1, of this section.

(b) Whenever they show evidence of corrosion or mechanical injury.

(5) ~~((You))~~ Employers must not perform hydrostatic testing on fire extinguishers if:

(a) The unit has been repaired by soldering, welding, brazing, or use of patching compounds.

(b) The cylinder or shell threads are damaged.

(c) Corrosion has caused pitting, including corrosion under removable name plate assemblies.

(d) The extinguisher has been burned in a fire.

(e) Calcium chloride extinguishing agents have been used in a stainless steel shell.

~~((Note: Specific rules regarding conducting hydrostatic tests are covered in WAC 296-24-59212.))~~

(6) ~~((You))~~ Employers must maintain records showing that hydrostatic testing has been performed. Provide the following evidence to the department upon request:

(a) Date of test.

(b) Test pressure used.

(c) The serial number, or other identifier of the fire extinguisher that was tested.

(d) Person or agency performing the test.

(7) ~~((You))~~ Employers must keep records until:

(a) The extinguisher is retested; or

(b) The extinguisher is taken out of service, whichever comes first.

(8) ~~((You))~~ Employers must empty and maintain stored-pressure dry chemical extinguishers requiring a 12-year hydrostatic test, every six years ~~((÷))~~.

~~((When recharging or hydrostatic testing is performed,))~~ The ~~((6))~~ six-year maintenance-testing requirement begins from ~~((that))~~ the date of the hydrostatic testing.

#### Hydrostatic Test Table

Type of Extinguisher	Test Interval (Years)
Stored pressure water and/or antifreeze	5
Wetting agent	5
Foam (stainless steel shell)	5
Aqueous film forming form (AFFF)	5
Loaded stream	5
Dry chemical with stainless steel	5
Carbon dioxide	5
Dry chemical, stored pressure, with mild steel, brazed brass or aluminum shells	12
Halon 1211	12
Halon 1301	12
Dry powder, cartridge or cylinder operated, with mild steel shell	12

Note: Due to a manufacturer's recall, stored pressure water extinguishers with fiberglass shell (pre-1976) are prohibited from hydrostatic testing.

(9) Specific rules regarding conducting hydrostatic tests are covered in WAC 296-24-59212.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-30025 Train ~~((your))~~ employees to use portable fire extinguishers.** (1) ~~((You))~~ Employers must train ~~((your))~~ employees ~~((where you have provided))~~ when portable fire extinguishers are provided for their use in:

(a) The hazards involved with incipient stage firefighting (the early stage of a fire when it can be extinguished by a portable fire extinguisher).

(b) The general principles of fire extinguisher use.

(2) ~~((You))~~ Employers must provide ~~((the))~~ training to employees when ~~((they are))~~ first hired and then annually.

**WAC 296-800-310 Summary.**

**(~~Your~~) Employer responsibility:**

To provide and maintain emergency exit routes and to install and maintain adequate employee alarm systems.

**IMPORTANT:**

An employer who demonstrates compliance with the exit route provisions of NFPA 101-2009, the Life Safety Code, will be in compliance with the corresponding requirements of this section.

<del>(You)</del> <u>Employers</u> must meet the requirements ...	in this section:
<b>Exit routes</b>	
Provide an adequate number of exit routes	WAC 296-800-31005
Make sure that exit routes are large enough	WAC 296-800-31010
Make sure that exit routes meet their specific design and construction requirements	WAC 296-800-31015
Make sure that each exit route leads outside	WAC 296-800-31020
Provide unobstructed access to exit routes	WAC 296-800-31025
Exit doors must be readily opened from the inside	WAC 296-800-31030
Use side-hinged doors to connect rooms to exit routes	WAC 296-800-31035
Provide outdoor exit routes that meet these requirements	WAC 296-800-31040
Minimize danger to employees while they are using emergency exit routes	WAC 296-800-31045
Mark exits adequately	WAC 296-800-31050
Provide adequate lighting for exit routes and signs	WAC 296-800-31053
Maintain the fire retardant properties of paints or other coatings	WAC 296-800-31055
Maintain emergency safeguards	WAC 296-800-31060
Maintain exit routes during construction and repair	WAC 296-800-31065
Provide doors in freezer or refrigerated rooms that open from the inside	WAC 296-800-31067
Install and maintain an appropriate employee alarm system	WAC 296-800-31070

<del>((You))</del> <u>Employers</u> must meet the requirements ...	in this section:
Establish procedures for sounding emergency alarms	WAC 296-800-31075
Test the employee alarm system	WAC 296-800-31080

This rule does not apply to vehicles, vessels, or other mobile structures. The introduction has important information about building, electrical, and fire codes that may apply in addition to WISHA rules. See "how do the safety and health rules relate to fire, building, and electrical codes" in the introduction section.

**(Exemption:** This rule does not apply to vehicles, vessels, or other mobile structures.

**Note:** The introduction has important information about building, electrical and fire codes that may apply to you in addition to WISHA rules. See "How do the WISHA rules relate to building, fire, and electrical codes" in the introduction section of this book.)

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-31005 Provide an adequate number of exit routes.**

(1) ~~((You))~~ Employers must provide a minimum of two exit routes to provide different ways for employees to leave the workplace safely during an emergency (at least two of the exit routes must be remote from one another so employees can safely exit if one exit route becomes blocked or unavailable).

(2) ~~((You))~~ Employers must provide an adequate number (at least two) of exit routes, considering the kind, number, location and capacity, appropriate to each building according to the following conditions:

- (a) Number of employees.
- (b) Size of building.
- (c) Arrangement of workplace.
- (d) Building occupancy.

(3) A single exit route is permitted where the number of employees, the size of the building, its occupancy, or the arrangement of the workplace indicates that a single exit will allow all employees to exit safely during an emergency. Other means of escape, such as fire exits or accessible windows, should be available where only one exit route is provided.

**(Note:** A single exit route is permitted where the number of employees, the size of the building, its occupancy, or the arrangement of the workplace indicates that a single exit will allow all employees to exit safely during an emergency. Other means of escape, such as fire exits or accessible windows, should be available where only one exit route is provided.)

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-31010 Make sure that exit routes are large enough.**

(1) ~~((You))~~ Employers must make sure each exit route is large enough to accommodate the maximum-permitted occupant load for each floor served by the route.



(2) ((Yeu)) Employers must make sure the capacity of an exit route does not decrease at any point.

(3) ((Yeu)) Employers must make sure the exit route has a minimum ceiling height of 7 feet 6 inches and that no projection from the ceiling is less than 6 feet 8 inches from the floor.

Objects that stick out into the exit route, such as fans hanging from the ceilings or cabinets on walls, must not reduce the minimum height of the exit route to less than 6 feet 8 inches from the floor.

(4) ((Yeu)) Employers must make sure exit routes are at least 28 inches wide and at all points between any handrails.

(a) If necessary, routes must be wider than 28 inches to accommodate the expected occupant load.

(b) Make sure objects that stick out into the exit route, such as cabinets on walls, do not reduce the minimum width of the exit route.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-31015 Make sure that exit routes meet their specific design and construction requirements.** (1) ((Yeu)) Employers must make sure each exit is a permanent part of the workplace.

(2) ((Yeu)) Employers must make sure an exit route has only those openings necessary to permit access to, or exit from, occupied areas of the workplace.

(3) ((Yeu)) Employers must make sure any opening into an exit through a fire wall is protected by a self-closing fire door that remains closed.

(4) ((Yeu)) Employers must make sure each fire door, its frame, and its hardware is listed or approved by a nationally recognized testing laboratory.

(5) ((Yeu)) Employers must make sure construction materials, used to separate an exit route, have at least:

(a) One-hour fire resistance rating if the exit connects three stories or less.

(b) Two-hour fire resistance rating if the exit connects four stories or more.

(6) ((Yeu)) Employers must make sure employees are provided with stairs or a ramp, if the exit route is not substantially level.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-31020 Make sure that each exit route leads outside.**

(1) ((Yeu)) Employers must make sure that building exit routes lead:

(a) Directly outside or to a street, walkway, refuge area, or to an open space with access to the outside.

(b) To streets, walkways, or open spaces large enough to accommodate all building occupants likely to use the exit.

(2) ((Yeu)) Employers must make sure the exit routes clearly show the route employees use to leave the building in an emergency.

(3) (~~You~~) Employers must install a standard safeguard with a warning sign, if a doorway or corner of a building could allow an employee to walk in front of an engine or trolley.

(4) (~~You~~) Employers must use doors, partitions, or other effective means to show employees the correct route out of the building, if the stairs in your exit route lead anywhere but out of the building.

(5) If the stairs in the exit route lead past the exit to the basement, an employer might install a gate at the point they lead towards that basement. The gate could help employees stay on the exit route taking them out of the building.

**(Note:** If the stairs in your exit route lead past the exit to the basement, you might install a gate at the point they lead towards that basement. The gate could help your employees stay on the exit route taking them out of the building.)

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-31025 Provide unobstructed access to exit routes.**

(1) (~~You~~) Employers must provide exit routes that are always free of obstructions so all employees can safely exit the building during an emergency.

(2) (~~You~~) Employers must make sure employees are not required to travel to a dead end or through a room that can be locked, such as a restroom.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-31030 Exit doors must be readily opened from the inside.**

**(Exemption:** An exit door may be locked or blocked from the inside in a mental, penal, or correctional institution, if supervisory personnel are continuously on duty and a plan exists to remove employees and inmates during an emergency.

~~You~~) (1) Employers must make sure all exit doors readily open from the inside without keys, tools, or special knowledge. A device that locks only from the outside, such as a panic bar, is permitted. An exit door must be free of any device or alarm that could restrict emergency use of an exit if the device or alarm fails.

(2) An exit door may be locked or blocked from the inside in a mental, penal, or correctional institution, if supervisory personnel are continuously on duty and a plan exists to remove employees and inmates during an emergency.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-31035 Use side-hinged doors to connect rooms to exit routes.** (~~You~~) Employers must use a side-hinged exit door to connect any room to an exit route. The door must swing out when the room:

(1) Is occupied by more than (~~fifty~~) 50 persons; or

- (2) Contains highly flammable or explosive materials.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-31040 Provide outdoor exit routes that meet these requirements.** (~~You~~) Employers must make sure an outdoor exit route (such as an interior balcony, porch, gallery, or roof) meets all requirements for an indoor exit route. In addition, an outdoor exit route must also:

- (1) Have guardrails to protect unenclosed sides.
- (2) Be covered if snow or ice is likely to accumulate without regular removal.
- (3) Be reasonably straight with smooth, solid, substantially level floors.
- (4) Have no dead ends more than (~~twenty~~) 20 feet long that branch off of the exit route.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-31045 Minimize danger to employees while they are using emergency exit routes.** (1) (~~You~~) Employers must maintain each exit route to minimize danger to employees during an emergency.

(2) (~~You~~) Employers must keep each exit route free of explosive or highly flammable furnishings and decorations.

(3) (~~You~~) Employers must not require employees to travel toward areas where high hazard materials are stored, unless the route is protected by partitions or physical barriers. High hazard materials are materials that:

- (a) Burn quickly.
- (b) Emit poisonous fumes when burned.
- (c) Are explosive.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-31050 Mark exits adequately.** Employers must:

(1) (~~You must~~) Mark each exit with a clearly visible, distinctive sign reading "exit."

(2) (~~You must~~) Make sure the letters in the word "EXIT" are at least six inches high and 3/4 inch wide.

(3) (~~You must~~) Mark any doorway or passage that might be mistaken for an exit with "not an exit" or with an indication of its actual use.

(4) (~~You must~~) Make sure exit signs are a distinctive color.

(5) (~~You must~~) Make sure signs are posted and arranged along exit routes to adequately show how to get to the nearest exit and clearly indicate the direction of travel.

(6) (~~You must~~) Not obstruct or conceal exit signs in any way.

(7) (~~You must~~) Keep exit doors free of signs or decorations that obscure their visibility.

(8) See WAC 296-800-099 for the definitions of "exit" and "exit route."

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-31053 Provide adequate lighting for exit routes and signs.** (1) (~~You~~) Employers must illuminate each exit route adequately and reliably.

(2) (~~You~~) Employers must have at least five foot-candles illumination from a reliable light source.

(3) (~~You~~) Employers must make sure any exit signs illuminated by artificial lights and made of translucent material (other than internally illuminated types).

(a) Have screens, discs or lens of at least (~~twenty-five~~) 25 square inches in size; and

(b) Show red or other designated color on the approach side of the exit.

(4) (~~You~~) Employers must make sure brightly lit signs, displays, or objects in or near the line of vision do not distract attention from the exit sign.

(5) (~~You~~) Employers must make sure exit signs that are self-lighting have a minimum luminance surface value of .06 footlamberts.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-31055 Maintain the fire retardant properties of paints or other coatings.** (~~You~~) Employers must maintain any paints or other coatings with fire retardant properties so they retain their fire retardant properties.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-31060 Maintain emergency safeguards.** (~~You~~) Employers must maintain each safeguard in proper working order to protect employees during an emergency. Emergency safeguards include items such as:

(1) Sprinkler systems.

(2) Alarm systems.

(3) Fire doors.

(4) Exit lighting.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-31065 Maintain exit routes during construction and repair.** (1) ~~((You))~~ Employers must have enough exit routes that comply with these rules before letting your employees occupy a workplace under new construction.

(2) ~~((You))~~ Employers must make sure that employees do not occupy an existing workplace unless:

(a) All exits and existing fire protection are maintained; or

(b) Alternate fire protection is provided that ensures an equivalent level of safety.

(3) ~~((You))~~ Employers must make sure that flammable or explosive materials used during construction or repair do not expose employees to additional hazards or prevent emergency escape.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-31067 Provide doors in freezer or refrigerated rooms that open from the inside.** ~~((You))~~ Employers must make sure that walk-in refrigerators or freezer rooms have doors with opening devices allowing them to be opened from the inside even when they are locked from the outside.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-31070 Install and maintain an appropriate employee alarm system.**

**((Exemptions:** ~~•If you have ten or fewer employees in a particular workplace, you can use direct voice communication to sound the alarm, if all employees can hear it. For this kind of workplace, you do not need a back-up system.  
•In workplaces where employees would not otherwise be able to recognize audible or visible alarms, you can use tactile devices to alert them:))~~

(1) ~~((You))~~ Employers must make sure that a working employee alarm system with a distinctive signal to warn employees of fire or other emergencies is installed and maintained. Employers do not need an alarm system if employees can promptly see or smell a fire or other hazard in time to provide adequate warning to other employees.

**((Exemption:** ~~You do not need an alarm system if employees can promptly see or smell a fire or other hazard in time to provide adequate warning to other employees:))~~

(2) ~~((You))~~ Employers must make sure that the following systems meet the requirements of this rule, if ~~((you use them as your))~~ used as an employee alarm system:

(a) Supervisory (monitored) alarms.

(b) Discharge alarms.

(c) Detection systems required on fixed extinguishing systems.

(d) Detection systems required on fire suppression systems.

(3) ((~~Y04~~)) Employers must make sure that your employee alarm systems are:

(a) Providing enough warning to allow employees to safely escape from the workplace, the immediate work area, or both.

(b) Noticeable above surrounding noise or light levels by all employees in the affected portions of the workplace.

(c) Distinctive and recognizable as a signal, to evacuate the work area.

(d) Restored to working order as soon as possible, after each test or alarm.

(e) Supervised (monitored), if installed after July 1, 1982, and if it has that capacity.

(f) Able to alert assigned personnel whenever a malfunction exists in the system.

(g) Adequately warning employees of emergencies.

(h) Serviced, maintained, and tested by a person trained in the alarm system's design and functions to keep the system operating reliably and safely.

(i) In working order, except when undergoing repairs or maintenance.

(j) Warning employees of fire or other emergencies with a distinctive signal, if they are not able to see or smell a fire or other hazard.

(k) Manual actuation devices that, if provided, are unobstructed, easy to find, and readily accessible.

(l) Using alarm devices, components, combinations of devices, or systems with approved construction and installation. This applies to steam whistles, air horns, strobe lights, or similar lighting devices, as well as tactile devices.

(m) Supplied with spare alarm devices available to restore the system promptly if a component breaks, is worn, or destroyed.

(n) Kept in full operating condition by maintaining and replacing power supplies as often as necessary.

(o) Supplied with a back-up means of alarm, such as employee runners or telephones, when regular systems are out of service.

(4) Employers do not have to meet the requirements in this section if the following are met:

(a) If an employer has 10 or fewer employees in a particular workplace, an employer can use direct voice communication to sound the alarm, if all employees can hear it. For this kind of workplace, an employer does not need a back-up system.

(b) In workplaces where employees would not otherwise be able to recognize audible or visible alarms, employers can use tactile devices to alert employees.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-31075 Establish procedures for sounding emergency alarms.** (1) ((~~Y04~~)) Employers must explain to each employee how to sound the alert for emergencies. Methods of reporting emergencies can include:

- (a) Manual pull box alarms.
- (b) Public address systems.
- (c) Radio.
- (d) Telephones.

(2) ~~((You))~~ Employers must post emergency numbers near telephones, employee notice boards, or other conspicuous locations, if ~~((you use))~~ telephones are used to report emergencies.

(3) ~~((You))~~ Employers must require that all emergency messages have priority over all nonemergency messages if the communication system also serves as an employee alarm system.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-31080 Test the employee alarm system.** (1) ~~((You))~~ Employers must test the reliability and adequacy of ~~((your))~~ the employee alarm system every two months.

Use a different activation device in each test of a multiactuation device system, so the entire alarm system gets tested.

(2) ~~((You))~~ Employers must make sure that supervised (monitored) employee alarm systems are tested at least once a year for reliability and adequacy.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-320 Summary.**

**~~((Your))~~ Employer responsibility:**

To conduct an investigation of certain types of accidents.

<del>((You))</del> <u>Employers</u> must meet the requirements ...	in this section:
Make sure equipment involved in a work-related accident is not moved	WAC 296-800-32010
Assign people to assist the department of labor and industries	WAC 296-800-32015
Conduct a preliminary investigation for all serious injuries	WAC 296-800-32020
Document the preliminary investigation findings	WAC 296-800-32025

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-32010 Make sure equipment involved in a work-related accident is not moved.** (1) ~~((You))~~ Employers must not move equipment involved in a work-related accident if any of the following results:

- (a) A death.
- (b) An inpatient hospitalization.
- (c) An amputation.
- (d) The loss of an eye.

(2) ~~((You))~~ Employers must not move the equipment until a representative of the department of labor and industries investigates the incident and releases the equipment unless:

Moving the equipment is necessary to:

- (a) Remove any victims.
- (b) Prevent further incidents and injuries.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-32015 Assign people to assist the department of labor and industries.** ~~((You))~~ Employers must assign witnesses and other employees to assist department ~~((of labor and industries))~~ personnel who arrive at the scene to investigate the incident involving:

- (1) A death.
- (2) An inpatient hospitalization.
- (3) An amputation.
- (4) The loss of an eye.

Include:

- (5) The immediate supervisor.
- (6) Employees who were witnesses to the incident.
- (7) Other employees the investigator feels are necessary to complete the investigation.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-32020 Conduct a preliminary investigation for all serious injuries.** (1) ~~((You))~~ Employers must ~~((make sure your))~~ conduct a preliminary investigation ~~((is conducted))~~ to evaluate the facts relating to the cause of the incident by the following people:

- (a) A person designated by the employer.
  - (b) The immediate supervisor of the injured employee.
  - (c) Witnesses.
  - (d) An employee representative, such as a shop steward or other person chosen by the employees to represent them.
  - (e) Any other person who has the experience and skills.
- (2) If the employee representative is the business agent of the employee bargaining unit and is unavailable to participate without de-



laying the investigation group, ((you)) employers may proceed, by using one of the following:

(a) The shop steward.

(b) An employee representative member of ((you)) the safety committee.

(c) A person selected by all employees to represent them.

(3) A preliminary investigation includes noting information such as the following:

(a) Where did the accident or incident occur?

(b) What time did it occur?

(c) What people were present?

(d) What was the employee doing at the time of the accident or incident?

(e) What happened during the accident or incident?

((Note: ~~A preliminary investigation includes noting information such as the following:~~

~~—Where did the accident or incident occur?~~

~~—What time did it occur?~~

~~—What people were present?~~

~~—What was the employee doing at the time of the accident or incident?~~

~~—What happened during the accident or incident?))~~

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-32025 Document the preliminary investigation findings.** ((You)) Employers must document the preliminary investigation findings for use at any formal investigation.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-330 Releasing accident investigation reports.** (1) The department must keep accident investigations and related reports confidential.

(2) The department must not freely release results of accident investigations and related reports that are confidential.

(3) The department must make available accident investigation reports, without the need of a court order, only to the following:

(a) Injured workers, their legal representatives, or their labor organization representatives.

(b) The legal representative or labor organization representative of a deceased worker.

(c) The employer of any injured or deceased worker.

(d) Any other employer or person whose actions or business operations are the subject of the report or investigation.

(e) Any attorney representing a party in any pending legal action in which an investigative report constitutes material and relevant evidence.

(f) Employees of governmental agencies in the performance of their official duties.

(g) Any beneficiary of a deceased worker actually receiving benefits under the terms of Title 51 RCW, the Industrial Insurance Act.

(4) The records officer may provide accident investigation reports to the closest surviving member of the deceased worker's immediately family.

((Note: The records officer may provide accident investigation reports to the closest surviving member of the deceased worker's immediate family.))

~~(( PROTECTING THE IDENTITY OF THE SOURCE OF CONFIDENTIAL INFORMATION ))~~

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-340** ~~((Protecting the identity of the source of confidential information.))~~ **Reserved.** ~~((1) The department must not reveal the source of information when a promise has been made to keep the identity of the source confidential.~~

~~(2) The department must not disclose information that would reveal the source's identity, whenever a department file contains an investigative report or information from a source under a promise of confidentiality.~~

~~(a) The contents of an investigative report may be withheld only to the extent necessary to conceal the identity of the source.~~

~~(b) When information is withheld, the records officer must give a general characterization of the information withheld, but must not reveal the identity of the information's source.))~~

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-360 Rule.** ~~((Yøø))~~ Employers must use the safety and health standards from national organizations and federal agencies, when directed to by WISHA rules.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-36005 Comply with standards national organizations or of federal agencies when referenced in WISHA rules.** ~~((Yøø))~~ (1) Employers must use the following to be in compliance with WISHA rules:

~~((1))~~ (a) The edition of the standard specified in the WISHA rule; or

~~((2))~~ (b) Any edition published after the edition specified in the WISHA rule.

((Note: The specific standards referenced in the WISHA rules are available.))

((\*) (2) Additional information is available:

(a) For review at your local department of labor and industries office.

((\*) (b) See ((~~http://www.wa.gov/lni/pa/direct.htm~~) <https://lni.wa.gov/safety-health/safety-rules/find-safety-rules/>.

((\*) (c) In addition, standards may be reviewed on the Washington state legislative site at <https://apps.leg.wa.gov/wac/default.aspx?cite=296>

(d) Emergency rules are not posted to the legislative site. Emergency rules are found on the labor and industries website only.

(e) Through the local library system.

((\*) (f) Through the issuing organization.

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