



New Health and Safety Rules from LNI:

Washington State Department of Labor & Industries has updated and approved emergency rules in regards to wildfire smoke, heat exposure, and contagious disease reporting and mitigation. The BIA has previously covered some of these rules, but we wanted to equip our members with the most comprehensive information possible.

New Emergency Heat Requirements for Employers:

These new rules apply when the temperature is at or above 100 degrees, employers must respond to the extreme heat by:

- Providing shade or another sufficient means for employees to cool down; and
- Ensuring workers have a paid cool-down rest period of at least 10 minutes every two hours.

When temperatures are at or above 89 degrees, the new rules combined with existing rules require employers to:

- Provide water that is cool enough to drink safely;
- Allow and encourage workers to take additional paid preventative cool-down rest to protect from overheating;
- Be prepared by having a written outdoor heat exposure safety program and providing training to employees; and,
- Respond appropriately to any employee with symptoms of heat-related illness.

L&I FAQ: https://www.lni.wa.gov/forms-publications/F417-292-000.pdf?utm_medium=email&utm_source=govdelivery

New Wildfire Smoke Requirements for Employers:

Once levels reach WAQA level of 173/AQI level of 151 or more:

- The employer must implement exposure controls (see a-f above) whenever feasible.
- The employer must provide respirators at no cost to all employees and encourage employees to use respirators.
- 1. Respirators shall be NIOSH-approved devices that effectively protect the wearers from inhalation of PM2.5, such as N95 filtering facepiece respirators. Employers may provide KN95 filtering facepiece respirators during the 2021 wildfire season.

L&I Link: <https://lni.wa.gov/rulemaking-activity/AO21-26/2126CR103EAdoption.pdf>

New Contagious Disease Reporting and Mitigation Requirements for Employers:

- Employers with 50 or more covered employees at a workplace or worksite are required to report infectious or contagious disease outbreaks of 10 or more employees to L&I
- Employees are not required to disclose any medical condition or diagnosis to their employer;
- Employers, except for certain healthcare employers, are required to notify employees in writing of potential exposures within one business day; and
- Employees and contractors must be permitted to voluntarily use personal protective equipment.

L&I Link: https://lni.wa.gov/rulemaking-activity/AO21-31/2131CR103EAdoption.pdf?utm_medium=email&utm_source=govdelivery

