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July 14, 2017

Eric Harbin, Regional Administrator  
U.S. Department of Labor, OSHA  
300 Fifth Ave., Ste 1280  
Seattle, WA 98104

RE: Washington FFY 2017 FAME and CAP

Dear Mr. Harbin:

Thank you for recognizing the consistent high-level of work performed by the Washington DOSH safety and health staff. We strive to always do our best and appreciate your acknowledging the hard work.

The annual evaluation of State Plan programs is a worthwhile process for OSHA and State Plans to ensure workplace safety and health. Following is our response to the FFY 2016 FAME report and the supporting Corrective Action Plan (CAP).

The FFY 2016 FAME report includes two (2) findings that are both continuations from the FFY 2015 FAME.

**Finding FY 2016-01:** DOSH has consistently missed their inspection goals over each of the last three years. This struggle may be attributed to staffing vacancies resulting from a high turnover rate and retirements.

**Recommendation FY 2016-01:** The State Plan should continue efforts to understand and address its high turnover rate and fill staff vacancies in order to reach inspection goals.

**Washington Response:** We agree. DOSH is working closely with Washington State Human Resources to address the high turnover rate. In the past year, the following approach was put into place:

- Classification and compensation packages requesting salary increases at all levels of the Safety & Health Specialist and Industrial Hygienist job series were developed, submitted to and approved by the 2017 Washington State Legislature. While the increases are less than what we hoped for and requested, they represent movement in the right direction toward more equitable compensation for our safety and health professionals.

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- DOSH requested assignment pay for staff who hold or earn professional certification relevant to their position, for high-cost geographic locations, and for hazard pay (for affected hours when using PPE). One of the requests has been approved – hazard pay for inspectors when certain criteria are met.
- DOSH is continuing to work with L&I's Office of Human Resources and the Director's Office to analyze and pursue additional opportunities to increase compensation for safety and health staff and reduce turnover rates.

**Finding FY 2016-02:** DOSH's standards and enforcement program for fall protection in residential construction is not at least as effective as that of OSHA's. The failure to adopt an equivalent standard leaves Washington state workers exposed to fall hazards.

**Recommendation FY 2016-02:** The State Plan should implement a fall protection standard at least as effective as the federal standard.

**Washington Response:** We strongly refute the statement, "The failure to adopt an equivalent standard leaves Washington state workers exposed to fall hazards." Washington has the lowest fatality rate in the nation, again, for the construction industry. We have agreed to a rule review.

Currently, the fall protection rules for Washington reside in multiple standards within the Washington Industrial Safety and Health Act (WISHA). A unified fall protection standard is being created; a first draft is expected in September 2018.

Enclosed is the requested CAP documenting our actions.

I understand the OSHA policy regarding FAME report observations does not require a formal response from us. I do however look forward to discussions during our FFY 2018 monitoring cycle regarding the identified observations.

Thank you again for your time and efforts during this monitoring cycle.

Sincerely,

Anne F. Soiza, L&I Assistant Director  
Division of Occupational Safety and Health

Enclosure

cc: Dave Baker, Acting Deputy Regional Administrator, OSHA Region 10  
Jacob Ewer, Bellevue Area Director, OSHA Region 10  
Abby Lopez, State Programs Manager, OSHA Region 10  
DOSH Senior Managers  
Kelly Hillman, Performance Systems Manager, DOSH