

**WAC 296-62-060 Control requirements in addition to those specified.**

Note: The requirements in this section apply only to agriculture. The requirements for general industry relating to control requirements have been moved to chapter 296-800 WAC, Safety and health core rules.

(1) In those cases where no acceptable standards have been derived for the control of hazardous conditions, every reasonable precaution must be taken to safeguard the health of the worker whether provided herein or not.

(2) Preservation of records.

(a) Scope and application. This section applies to each employer who makes, maintains or has access to employee exposure records or employee medical records.

(b) Definitions.

(i) **Employee exposure record.** A record of monitoring or measuring which contains qualitative or quantitative information indicative of employee exposure to toxic materials or harmful physical agents. This includes both individual exposure records and general research or statistical studies based on information collected from exposure records.

(ii) **Employee medical record.** A record which contains information concerning the health status of an employee or employees exposed or potentially exposed to toxic materials or harmful physical agents. These records may include, but are not limited to:

(A) The results of medical examinations and tests;

(B) Any opinions or recommendations of a physician or other health professional concerning the health of an employee or employees; and

(C) Any employee medical complaints relating to workplace exposure. Employee medical records include both individual medical records and general research or statistical studies based on information collected from medical records.

(c) Preservation of records. Each employer who makes, maintains, or has access to employee exposure records or employee medical records must preserve these records.

(d) Availability of records. The employer must make available, upon request, to the director, department of labor and industries, or his designee, all employee exposure records and employee medical records for examination and copying.

(e) Effective date. This standard shall become effective thirty days after filing with the code reviser.

(3) Monitoring of employees. The department must use industrial hygiene sampling methods and techniques including but not limited to personal monitoring devices and equipment approved by the director or his designee for the purpose of establishing compliance with chapter 296-62 WAC.

(a) The employer must permit the director or his designee to monitor and evaluate any workplace or employee in accordance with all provisions of this subsection.

(b) The employer must not prevent or discourage an employee from cooperating with the department by restricting or inhibiting his/her participation in the use of personal monitoring devices and equipment in accordance with all provisions of this subsection.

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060. WSR 19-01-094, § 296-62-060, filed 12/18/18, effective 1/18/19. Statutory Authority: RCW 49.17.010, [49.17].040, and [49.17].050. WSR 02-16-047, § 296-62-060, filed 8/1/02, effective

10/1/02. Statutory Authority: RCW 49.17.040, 49.17.050, and 49.17.240. WSR 80-11-010 (Order 80-14), § 296-62-060, filed 8/8/80; Order 73-3, § 296-62-060, filed 5/7/73; Order 70-8, § 296-62-060, filed 7/31/70, effective 9/1/70; Rule 6.010, effective 8/1/63.]