

Workplace Safety Guidelines

There are many protections for workers in Washington. State law requires employers to provide a safe and healthy workplace and protects workers who are retaliated against. Unemployment insurance protects those who lose their jobs and are out of work, and workers' compensation insurance helps employees who are hurt on the job.

The coronavirus pandemic has impacted hundreds of thousands of workers and employers in our state. These laws, rights, and programs are in place to help workers every day, and especially through tough times like these.

[Find the Governor's Guidance for specific businesses at this link.](#)

This is a brief summary from Washington's Department of Labor & Industries (L&I) and Employment Security Department (ESD). It includes information on worker protections, as well as links to additional information and resources for employers and workers.

A. **State law requires an employer to keep a safe and healthy workplace**

Employers are required to implement a social distancing plan, conduct frequent cleaning and sanitizing and ensure frequent and proper hand washing. Businesses deemed essential are prohibited from operating unless these workplace safety measures are established and implemented in accordance with the following guidance:

- [L&I Workplace Safety and Health Guidance](#)
- [United States Department of Labor Guidance on Preparing Workplaces for COVID-19](#)
- [Washington State Department of Health \(DOH\) Workplace and Employer Resources & Recommendations](#)

B. **Reporting unsafe job conditions; protection from discrimination and retaliation**

Workers are encouraged to engage employers directly to resolve any workplace safety concerns. There are two options to report possible safety violations:

- Violations of the Governor's proclamation, including essential businesses not following social distancing requirements, [can be reported online](#).
- Workplace safety complaints about coronavirus or other issues can be filed by calling L&I directly at 800-423-7233.

Workers who refuse to perform unsafe job duties may be protected from discrimination under the Washington Industrial Safety and Health Act (WISHA), which is administered by L&I.

Workers who are retaliated against for filing a complaint, or for bringing up safety concerns to their employer, may [file complaints on the L&I website](#).

C. **People unable to work due to coronavirus risk may qualify for unemployment insurance support**

A worker may file an unemployment claim at the same time they initiate a discrimination action with L&I. Unemployment claims are addressed on a case-by-case basis. Nonetheless, the following scenarios can be a useful guide:

i. **Allowable**

- An individual working at a worksite that does not follow guidelines published by the U.S. Department of Labor and Washington State Department of Health and who is unable to telework.
- An individual at high risk for severe illness, in the same household as a person identified as high risk or providing direct care for a person identified as high risk who is therefore unable to work and is unable to telework.

ii. **Not Allowable**

- An individual that quits work for an essential employer maintaining a worksite that does meet guidelines published by the U.S. Department of Labor and Washington State Department of Health.

Note: Per federal guidance, quitting work without good cause to obtain unemployment benefits is fraud.

The Employment Security Department (ESD) has resources to help with frequently asked questions related to [emergency rules and COVID-19 related claims](#).

[Unemployment claims may be filed online.](#)

D. **Work-based exposures and illness may be eligible for workers' compensation benefits**

Under certain circumstances, claims from health care workers and first responders for exposure to coronavirus will be allowed. Other claims that meet certain criteria for exposure will be considered on a case-by-case basis.

For a claim to be accepted, there must be a documented or probable work-related exposure, and an employee/employer relationship.

L&I has [answers to commonly asked questions](#) online.

Link to frequently asked questions regarding Safe Start WA Program

<https://coronavirus.wa.gov/information-for/business/frequently-asked-questions-business>