

ENROLLED ACT NO. 41, HOUSE OF REPRESENTATIVES

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2012 BUDGET SESSION

AN ACT relating to workplace safety; providing for contracts to enhance workplace safety; specifying conditions for contracts; providing rulemaking authority; providing for additional consultation positions; transferring positions; providing for reports; providing appropriations; and providing for an effective date.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 9-2-2608 is created to read:

**9-2-2608. Workplace safety contract program.**

(a) The department of workforce services shall administer a program of workplace safety contracts as provided in this section.

(b) Upon application from a public or private employer, the department may contract with an employer to take specific actions to increase and provide for effective participation in workplace safety programs created and administered under title 27, chapter 11 or 14 of Wyoming statutes. Contract recipients under this section shall:

(i) Document the number of employees covered under the workplace safety programs created or enhanced by the contract;

(ii) Document decreases in occupational hazards accomplished through participation in the workplace safety programs.

(c) The department shall promulgate rules and regulations for administration of the contract program

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provided in this section. Contracts under this section shall be conditioned on the following:

(i) The recipient of the contract initiating or participating in a workplace safety program created and administered under title 27, chapter 11 or 14 of Wyoming statutes;

(ii) An in-cash cost sharing contribution of at least ten percent (10%) from the employer;

(iii) No contract under this program shall be made to any individual employer in excess of ten thousand dollars (\$10,000.00);

(iv) Funds expended on contracts under this section shall be used solely for enhancement or implementation of workplace safety programs, including for assistance in the purchase of safety equipment necessary to carry out the programs created and administered under title 27, chapter 11 or 14 of Wyoming statutes.

(c) The department shall report on contracts issued under this section to the joint minerals, business and economic development interim committee on or before October 1, 2013 and by October 1 annually thereafter. Reports submitted under this subsection shall include, but not be limited to, information for the time period since the submittal of the last report, including:

(i) Total number of contracts issued;

(ii) Total amount of funds contracted;

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(iii) Number of employees covered under workplace safety programs created or enhanced under this section; and

(iv) The total number of employees injured or killed while working for employers who participate in the program, including:

(A) The percent increase or decrease of employees injured or killed while working for employers who received a contract under the program during the reporting period and for the last five (5) years when that information becomes available; and

(B) A comparison by industry and job classification of the percentage of employees injured or killed while working for employers who received a contract under the program and employees injured or killed while working for employers who did not receive a contract under the program for the reporting period and for the last five (5) years when that information becomes available.

**Section 2.** W.S. 9-2-2601(g)(v), (vi) and by creating a new paragraph (vii) is amended to read:

**9-2-2601. Department of workforce services; duties and responsibilities; agreements with other agencies authorized; definition; merger with department of employment.**

(g) The department shall take appropriate steps to:

(v) Conduct and publish results of investigations and research studies; ~~and~~

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(vi) Assist the Wyoming workforce development council and the state youth council in pursuing their missions and goals;~~;~~ and

(vii) Administer contracts pursuant to W.S. 9-2-2608.

**Section 3.**

(a) There is appropriated five hundred thousand dollars (\$500,000.00) from the Wyoming industrial accident fund to the department of workforce services. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2014. This appropriation shall only be expended for the purpose of funding contracts under W.S. 9-2-2608 created by this act. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2014.

(b) The occupational health and safety division is authorized an additional five (5) full-time equivalent positions to be retained as occupational health and safety consultants and not compliance officers. In addition, two(2) full-time equivalent positions shall be allocated from the department of workforce services to the occupational health and safety division. The positions shall be as determined by the governor and shall be filled only for the purposes of increasing occupational health and safety consultations. The funding associated with the transferred positions shall be transferred from the Wyoming industrial accident fund to the occupational health and safety division. There is additionally appropriated one million two hundred eighty-two thousand four hundred five

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dollars (\$1,282,405.00) from the Wyoming industrial accident fund to the occupational health and safety division. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2014. This appropriation shall only be expended for the purpose of funding the five (5) additional full-time equivalent positions authorized by this subsection only for occupational health and safety consultations. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2014. Funding for the seven (7) positions specified in this subsection shall be included in the division's 2015-2016 standard biennial budget request.

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**Section 4.** This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk