



CITY COUNCIL AGENDA ITEM COVER SHEET

FROM: Jenna Amsbury
DATE: October 3, 2024
AGENDA ITEM TITLE: Department of Labor and Industries Appeal Settlement Agreement for Fire Department

SUMMARY

On February 22, 2024 the L&I Department initiated an inspection of the McCleary FD worksite located at 5129 State Route 12, Elma, WA 98541. As a result of that inspection, the Department issued Citation and Notice No. 317978751 (“Citation”) to the City on June 26, 2024, alleging violations of the Washington State Industrial Safety and Health Act (WISHA) and assessing a monetary penalty of \$7,200.00. The Employer filed a timely appeal to the Citation on July 19, 2024, and the Department exercised its discretion and reassumed jurisdiction over the matter. The Employer and the Department signed an Extension of Reassumption Process on August 20, 2024. The Department found a reduction was in order from the \$7,200 to \$5,400. The City and Department of L&I met and the attached settlement agreement was proposed in lieu of the whole fine.

The City Fire Department will pay \$2,700 in fines and the remaining \$2,700 will be used to purchase decontamination kits, a mask cleaner/sink, and eyewash/decontamination shower system for the fire department.

This will most likely require a budget adjustment for 2024 to pay for the \$5,400.

RECOMMENDATION/ACTION REQUESTED

Approve the Settlement agreement totaling \$5,400 in fines and equipment.