CS FOR HOUSE BILL NO. 385 (LABOR AND COMMERCE)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 2/21/92
Referred: Finance

Sponsor(s): REPRESENTATIVES ULMER, B.Davis, Bruckman

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to video display terminals."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** FINDINGS. The legislature finds that

4 (1) the use of video display terminals poses a significant health and safety risk to the
5 workers of the state;

6 (2) investigations conducted by the National Institute for Occupational Safety and Health
7 of video display terminal (VDT) operators resulted in recommendations for workstation design and other
8 measures to reduce musculoskeletal and vision complaints among VDT users;

9 (3) studies world-wide have demonstrated elevated musculoskeletal discomforts and other
10 disorders in VDT operators as compared with non-VDT workers; research has shown that inadequate
11 workstation adjustment and lack of operator knowledge of adjustments and other remedies are associated
12 with musculoskeletal discomforts and other complaints; the consensus of the National Institute, the World
13 Health Organization, and the American National Standards Institute is that adjustable VDT workstations
14 in combination with training on proper adjustment of the workstation substantially contribute to a

1 healthier environment for VDT operators;

2 (4) reduction of the health and safety risks through education of state workers and
3 modification or replacement of the VDT workstation and associated equipment will help prevent VDT
4 related injuries, thus reducing health insurance and workers' compensation costs to the state.

5 * **Sec. 2.** AS 39.90 is amended by adding a new section to read:

6 Sec. 39.90.160. VIDEO DISPLAY TERMINAL USE. (a) A state agency shall attempt
7 to provide for proper use of video display terminals. The head of a state agency shall appoint,
8 for each qualified worksite of the agency, a person responsible for providing information to other
9 employees on the physical risks associated with improper use of video display terminals and on
10 their proper use. The Department of Administration shall provide training to the appointee in
11 the ergonomically proper use of video display terminals and the measures and work habits that
12 may avoid or lessen physical risks associated with improper video display terminal use. If there
13 are more than 75 terminals in close proximity within the same agency, the agency shall designate
14 at least one qualified worksite for each 75 video display terminals.

15 (b) The Department of Administration shall prepare notices to advise state employees
16 using video display terminals about the ergonomically proper use of the terminals. The
17 department shall mail the notices to the persons appointed under (a) of this section. Those
18 persons shall post the notices at the qualified worksite for which they are responsible and shall
19 add information on how employees who desire more information may reach them.

20 (c) The Department of Administration shall prepare and make available to state agencies
21 notices advising state employees using video display terminals at a worksite that is not part of
22 a qualified worksite about the ergonomically proper use of video display terminals. Each state
23 agency shall provide a copy of the notice to those employees who use a video display terminal
24 at a location that is not part of a qualified worksite together with a statement advising the
25 employees of the name and how to contact the nearest available person trained in proper use of
26 video display terminals under (a) of this section.

27 (d) A state agency that purchases, leases, or installs office equipment related to video
28 display terminal workstations shall comply with the American National Standard for Human
29 Factors for Engineering of Visual Display Terminal Workstations, ANSI/HFS Standard No. 100-
30 1988 or a subsequent standard that the commissioner of administration determines is at least as
31 protective of the health and safety of the user of a video display terminal as that standard.

1 (e) This section does not

2 (1) create a cause of action by any person against the state or an agency of the

3 state, whether at law or otherwise;

4 (2) establish a standard of care;

5 (3) amend or alter administrative remedies of employees; or

6 (4) amend or alter collective bargaining agreements entered into by the state or an

7 agency of the state.

8 (f) In this section,

9 (1) "agency" or "state agency" includes the executive, legislative, and judicial

10 branches of state government, the University of Alaska, and the Alaska Railroad Corporation;

11 (2) "qualified worksite" means a unit or cluster of at least four video display

12 terminals in regular use that are housed together or in close proximity within the same agency;

13 (3) "terminal" or "video display terminal" means an electronic video screen data

14 presentation machine, commonly called a video display terminal, and includes cathode-ray tubes;

15 "terminal" does not include a television, cash register, or oscilloscope screen.

16 * **Sec. 3.** REPORTS. (a) The Department of Administration shall report to the legislature one year

17 and two years after the effective date of this section on implementation of the training program and the

18 equipment purchase requirements of AS 39.90.160, enacted by sec. 2 of this Act.

19 (b) The Department of Labor shall report to the legislature on or before January 15, 1993, and

20 January 15, 1994, concerning injuries related to video display terminals that are identified in the initial

21 report of occupational injuries.

22 * **Sec. 4.** INITIAL TRAINING AND POSTING OF NOTICES. The Department of Administration

23 shall comply promptly with the requirements for preparation of notices and provision of training so that,

24 within one year after the effective date of this Act, state agencies will have been able to comply with

25 the requirements for posting notices and training current employees set out in AS 39.90.160, enacted by

26 sec. 2 of this Act.