

2 **SHB 1579** - S COMM AMD
3 By Committee on Labor & Commerce

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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 51.48 RCW
8 to read as follows:

9 (1) It is unlawful for any employer, employer representative, or
10 any person to:

11 (a) Induce or coerce a worker or beneficiary to not report an
12 industrial accident or file an application for benefits;

13 (b) Induce or coerce a worker or beneficiary to treat an industrial
14 accident as an off-the-job injury; or

15 (c) Induce or coerce a worker's physician to inappropriately
16 release the worker to return to work.

17 (2) The director shall cause an investigation to be made following
18 the filing of a written complaint by an employee that alleges a
19 violation of this section. An order, conforming with the requirements
20 of RCW 51.52.050 and determining whether a violation has occurred, must
21 be issued within sixty days of the filing of the complaint.

22 (3) Employees of the department are immune from complaints under
23 this section for any acts or omissions while in the performance of
24 their duties.

25 **Sec. 2.** RCW 51.48.080 and 1985 c 347 s 7 are each amended to read
26 as follows:

27 Every person, firm, or corporation who violates or fails to obey,
28 observe, or comply with any section of this title or any rule of the
29 department ((promulgated)) adopted under authority of this title, shall
30 be subject to a penalty of not to exceed ((five hundred)) one thousand
31 dollars for each offense upon order of the director. In any complaint
32 filed by the worker or beneficiary alleging a violation of section 1 of
33 this act, the penalty shall accrue for the benefit of the worker or
34 beneficiary and shall be paid to the worker or beneficiary with the
35 benefits that may be assessed under this title.

1 **Sec. 3.** RCW 51.28.050 and 1984 c 159 s 1 are each amended to read
2 as follows:

3 Except as provided in RCW 51.28.055, no application shall be valid
4 or claim thereunder enforceable unless filed within one year after the
5 day upon which the injury occurred or the rights of dependents or
6 beneficiaries accrued(~~(, except as provided in RCW 51.28.055)~~).
7 However, if failure to file an application or take action to enforce an
8 otherwise enforceable claim within the one-year limit results from an
9 act prohibited under section 1 of this act, an application shall be
10 valid or claim under the application enforceable if filed within two
11 years after the day upon which the injury occurred or the rights of
12 dependents or beneficiaries accrued."

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16 On page 1, line 1 of the title, after "insurance;" strike the
17 remainder of the title and insert "amending RCW 51.48.080 and
18 51.28.050; and adding a new section to chapter 51.48 RCW."

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