

FINAL BILL REPORT

HB 1246

C 299 L 93
Synopsis as Enacted

Brief Description: Revising provisions for maintaining employee benefits for temporarily disabled workers.

By Representatives G. Cole, Heavey, King, Franklin, Jones, Veloria and Johanson.

House Committee on Commerce & Labor
Senate Committee on Labor & Commerce

Background: The Industrial Insurance Act allows an employer to provide a light or modified job to an injured worker while the worker is recovering from his or her injury. The light duty job must be approved by the worker's physician. If the worker returns to a light duty job paying less than 95 percent of the worker's wages at injury, the worker is entitled to partial benefits that are paid in proportion to the worker's loss of earning power. The statute does not address the worker's right to fringe benefits while in the light duty position.

Summary: If an injured worker is returned to work at light or modified duty during the period in which the worker is unable to return to his or her regular job, the employer must continue or resume the health and welfare benefits to which the worker was entitled at the time of injury. However, the benefits will not be continued or resumed if that would be inconsistent with the terms of the benefit program or an applicable collection bargaining agreement.

The procedures for requesting light or modified duty are clarified. The request must be from the employer of injury and the work must be available with the employer of injury. The worker's temporary disability compensation must continue until the worker is released for work by the attending physician and begins work.

Votes on Final Passage:

House	70	28	
Senate	36	9	(Senate amended)
House	69	28	(House concurred)

Effective: July 1, 1993