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**SUBSTITUTE SENATE BILL 5669**

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**State of Washington**

**54th Legislature**

**1995 Regular Session**

**By** Senate Committee on Labor, Commerce & Trade (originally sponsored by Senators Pelz, Newhouse, Hargrove, Prince, Deccio, A. Anderson, Prentice, Palmer, Bauer, C. Anderson and Winsley)

Read first time 02/24/95.

1 AN ACT Relating to the definition of "acting in the course of  
2 employment" for industrial insurance; and amending RCW 51.08.013.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 51.08.013 and 1993 c 138 s 1 are each amended to read  
5 as follows:

6 (1) "Acting in the course of employment" means the worker acting at  
7 his or her employer's direction or in the furtherance of his or her  
8 employer's business which shall include time spent going to and from  
9 work on the jobsite, as defined in RCW 51.32.015 and 51.36.040, insofar  
10 as such time is immediate to the actual time that the worker is engaged  
11 in the work process in areas controlled by his or her employer, except  
12 parking area. It is not necessary that at the time an injury is  
13 sustained by a worker he or she is doing the work on which his or her  
14 compensation is based or that the event is within the time limits on  
15 which industrial insurance or medical aid premiums or assessments are  
16 paid.

17 ~~((The term))~~ (2) "Acting in the course of employment" does not  
18 include:

1        (a) Time spent going to or coming from the employer's place of  
2 business: ((+a)) (i) In commuter ride sharing, as defined in RCW  
3 46.74.010(1), notwithstanding any participation by the employer in the  
4 ride-sharing arrangement; or ((+b)) (ii) on a public transport system  
5 using a pass provided in whole or part by the employer; or  
6        (b) An employee's participation in social activities, recreational  
7 or athletic activities, events or competitions, and parties or picnics,  
8 whether or not the employer pays some or all of the costs thereof,  
9 unless: (i) The participation is during the employee's working hours,  
10 not including paid leave; (ii) the employee was paid monetary  
11 compensation by the employer to participate; or (iii) the employee was  
12 ordered or directed by the employer to participate or reasonably  
13 believed the employee was ordered or directed to participate. This  
14 subsection (2)(b) does not include participation in physical training  
15 during working hours by employees who are fire fighters as defined in  
16 RCW 41.26.030(4) (a), (b), and (c) or law enforcement officers as  
17 defined in RCW 41.26.030(3) (a), (b) and (c).

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