

# HOUSE BILL ANALYSIS

## HB 3044

**Brief Description:** Determining an injured worker's wages for temporary total disability compensation eligibility.

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**Sponsors:** Representative McMorris.

Hearing: February 2, 1998

### **BACKGROUND:**

The industrial insurance law authorizes compensation for injured workers for the time lost from work because of an on-the-job injury or an occupational illness. With specified exceptions, the amount of compensation is based on the worker's monthly wages from all employment at the time of injury.

An exception to this calculation applies to seasonal workers and workers whose current employment is intermittent or part-time. For these workers, the worker's monthly wage is determined by dividing by 12 the worker's total wages, including overtime, earned in all employment in any 12 consecutive months preceding the injury that fairly represents the worker's employment pattern.

If an employer continues paying wages to an injured worker during a period of temporary total disability, the worker is not entitled to time-loss compensation for that period. This statute applies if the employer pays the wages that the worker was earning at the time of injury.

### **SUMMARY OF BILL:**

Seasonal, intermittent, or part-time workers whose employers continue to pay wages based on twelve-month wage averaging are not eligible for time-loss compensation during the period that wages are paid.

**RULES AUTHORITY:** The bill does not contain provisions addressing the rule making powers of an agency.

**FISCAL NOTE:** Not requested.

**EFFECTIVE DATE:** Ninety days after adjournment of session in which bill is passed.

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