

FINAL BILL REPORT

ESB 5675

C 284 L 07

Synopsis as Enacted

Brief Description: Increasing minimum industrial insurance benefits.

Sponsors: Senators Franklin, Kohl-Welles, Keiser, Murray and Kline.

Senate Committee on Labor, Commerce, Research & Development

House Committee on Commerce & Labor

House Committee on Appropriations

Background: Workers injured in the course of employment may receive various benefits under the Industrial Insurance Act. Compensatory benefits are based on the monthly wages that the worker was receiving from all employment at the time of injury.

Death benefits are calculated as follows:

- the worker's monthly wage at injury is multiplied by a percentage ranging from 60 to 70 percent, depending on the number of children;
- the minimum monthly benefit ranges from \$185 to \$322, depending on the number of children; and
- the maximum benefit is 120 percent of the state average monthly wage.

Temporary or permanent total disability benefits are calculated as follows:

- the worker's monthly wage at injury is multiplied by a percentage ranging from 60 to 75 percent, depending on the worker's marital status and number of children;
- the minimum monthly benefit ranges from \$185 to \$352, depending on the worker's marital status and number of children; and
- the maximum benefit is 120 percent of the state average monthly wage.

Monthly compensatory benefits that are being paid are revised annually for a cost-of-living adjustment based on changes in the state average monthly wage. The state average monthly wage is derived from the Employment Security Department's calculation of the state average annual wage.

Summary: The statutorily-set minimum monthly benefit amounts are deleted. For dates of injury or disease manifestation after June 30, 2007, the minimum monthly benefit is set at 15 percent of the state average monthly wage plus an additional \$10 per month if a worker is married and an additional \$10 per month for each child of the worker up to a maximum of five children. The minimum monthly benefit may not exceed 100 percent of the worker's wages, but may not be less than the benefit amount currently received by the worker.

Votes on Final Passage:

Senate	37	8	
House	68	29	(House amended)
Senate	37	10	(Senate concurred)

Effective: July 1, 2008