

SENATE BILL REPORT

HB 2507

As Reported by Senate Committee On:
Commerce & Labor, February 26, 2016

Title: An act relating to clarifying reimbursement for employees who are victims of offender assaults.

Brief Description: Clarifying reimbursement for employees who are victims of offender assaults.

Sponsors: Representatives Klippert, Blake, Walsh, Tharinger, Haler, Ormsby, Van De Wege, Nealey and Wilson.

Brief History: Passed House: 2/17/16, 98-0.

Committee Activity: Commerce & Labor: 2/24/16, 2/26/16 [DP].

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass.

Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway, Keiser, King and Warnick.

Staff: Jarrett Sacks (786-7448)

Background: The Department of Labor and Industries (L&I) administers the state's workers' compensation system, which provides medical and time-loss benefits to workers injured in the course of their employment. Time-loss benefits provide partial wage reimbursement in the case of temporary total disability. The amount of time-loss benefits provided is 60 to 75 percent of the worker's wages, depending on the worker's marital status and number of dependents. Time-loss benefits are paid as long as the total disability continues. When recovery is complete and the earning power of the worker is restored, time-loss payments cease.

Employees of the Department of Corrections (DOC) and the Department of Natural Resources (DNR) may receive wage reimbursement when they miss workdays as a result of being assaulted by a DOC offender. These employees are entitled to reimbursement if the Secretary of the DOC or the Commissioner of Public Lands, or one of their designees, finds that:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- the employee was assaulted by an offender during the course of the employee's official duties;
- the employee sustained injuries as a result of that assault that require missed workdays; and
- the assault is not the result of employee negligence, misconduct, or failure to comply with rules or conditions of their employment.

For workdays missed in which the employee is eligible for workers' compensation benefits, the employing agency will reimburse them an amount which, when added to their compensation benefits paid through the L&I, results in full pay for each workday missed. For workdays missed in which the employee is not eligible to receive workers' compensation benefits, the employing agency will reimburse them for their full pay for each workday missed. The agency's portion of wage reimbursement for offender-assaulted employees may not last longer than 365 days after the date of injury.

Summary of Bill: Wage reimbursement by DOC and DNR to employees who miss work as a result of being assaulted by an offender may not continue longer than the date of termination of time loss benefits by L&I.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: There is a wide range of injuries employees can receive from being assaulted, and different people heal at different rates. The bill allows for more flexibility in providing reimbursement to these employees based on the severity of their injury. Current law only allows them to be reimbursed for a year, even if their injuries leave them out of work for a longer period of time.

Persons Testifying: PRO: Representative Klippert, Prime Sponsor; Amber Bates, citizen.

Persons Signed In To Testify But Not Testifying: No one.