

SENATE BILL REPORT

SHB 1454

AS REPORTED BY COMMITTEE ON LABOR & COMMERCE, MARCH 31, 1993

**Brief Description:** Revising the definition of "acting in the course of employment."

**SPONSORS:** House Committee on Commerce & Labor (originally sponsored by Representatives King, G. Cole, Horn, Foreman, R. Johnson, Sheahan, Chandler, Vance, Brough, Miller, Ballasiotes, Brumsickle, Wood, Van Luven, Springer, Silver, Cooke, Long, Dyer, Morton, Talcott and Sehlin)

**HOUSE COMMITTEE ON COMMERCE & LABOR**

**SENATE COMMITTEE ON LABOR & COMMERCE**

**Majority Report:** Do pass.

Signed by Senators Moore, Chairman; Prentice, Vice Chairman; Cantu, McAuliffe, Newhouse, Pelz, Sutherland, and Vognild.

**Staff:** Dave Cheal (786-7576)

**Hearing Dates:** March 30, 1993; March 31, 1993

**BACKGROUND:**

Workers are covered under the state industrial insurance law if they are injured while "acting in the course of employment." Workers are generally not considered to be acting in the course of employment while traveling to and from work. However, if the employer has a customary or contractual obligation to furnish transportation, then injuries occurring during the commute to and from work may be covered for industrial insurance.

If the worker participates in a commuter ride sharing program, the program does not come within the meaning of acting in the course of employment, even though the employer participates in the ride sharing arrangement.

**SUMMARY:**

Under the industrial insurance law, the exception from the term "acting in the course of employment" is amended to add that the term does not include time spent going to or coming from work on a public transport system using a pass provided by the employer.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

Employers who provide bus passes to their employees should not have their industrial insurance exposure increased. Some employers provide these passes to meet their obligations under the federal Transportation Demand Reduction Act.

**TESTIMONY AGAINST:** None

**TESTIFIED:** Lee Eberle, Self Insurers