

WAC 137-80-080 Industrial insurance. (1) No offender compensated for work in correctional industries shall be considered as an employee or to be employed by the state or the department.

(2) Offenders working in Classes I, II, and IV of correctional industries are eligible for industrial insurance benefits as provided by Title 51 RCW.

(3) Offenders working in Class III industries are ineligible for industrial insurance benefits.

(4) For offenders working in Class V, the cost to provide offenders with industrial insurance medical aid coverage will be paid for by the entity for which the offenders perform the work. To initiate coverage, the entity will complete, sign and submit directly to L&I, the L&I application for elective coverage of excluded workers (application), before the occurrence of an injury or contraction of an occupational disease, by offenders to be covered. Entities will check application box number 10 (community service workers, 7203) of L&I Form F213-112-000 to initiate coverage.

(5) Any premiums or assessments due under Title 51 RCW for an offender's coverage shall be the obligation of the entity for which the offender is performing the work, and shall be paid directly to the department of labor and industries by that entity. Except that, L&I premiums due for offenders performing Class IV good-will projects shall be paid directly to L&I by the department of corrections.

[Statutory Authority: RCW 72.01.090 and 72.09.100. WSR 15-20-010, § 137-80-080, filed 9/24/15, effective 1/1/16.]