

WAC 296-14A-020 Employers. (1) **Who is an affected employer?** An employer is an affected employer if the cost of the claim which may be the subject of a structured settlement agreement is included in the calculation of the employer's experience factor used to determine premiums. The department will send notice of any structured settlement agreement negotiations to an affected employer.

(2) **How will an affected employer be notified of a structured settlement agreement negotiation?** When the department decides to begin settlement discussions, the department will notify all affected employers by mail, and will request the employer's participation in the negotiations.

(3) **How long does an affected employer have to respond to the department's notice of a negotiation?** An affected employer has fourteen calendar days from the date the notice is sent to respond to the department's request for participation.

(4) **What happens if an affected employer does not respond to the department's notice of a negotiation?** If the employer does not respond to the request within fourteen calendar days, the department will consider that the employer has declined to participate and will proceed with scheduling negotiations without the employer.

An affected employer who declines to participate as a party to a structured settlement agreement will be bound by the terms of the agreement including any impact the structured settlement may have on the employer's experience factor or on the employer's industrial insurance premiums.

[Statutory Authority: RCW 51.04.020, 51.04.030, and 2011 1st sp.s. c 37 § 305. WSR 12-07-065, § 296-14A-020, filed 3/20/12, effective 4/20/12.]