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**Commerce & Labor Committee**

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**SB 6839**

**Brief Description:** Regarding workers' compensation coverage for work performed outside Washington.

**Sponsors:** Senators Marr and Kohl-Welles; by request of Department of Labor & Industries.

**Brief Summary of Bill**

- Requires Washington employers to obtain industrial insurance coverage for temporary and incidental work outside Washington and authorizes the Department of Labor and Industries to adopt rules for work in excess of temporary and incidental.

**Hearing Date:** 2/21/08

**Staff:** Joan Elgee (786-7106).

**Background:**

A worker who suffers an industrial injury outside Washington is entitled to compensation under the Industrial Insurance Act if the employment was principally localized in Washington and in certain other cases. The Director of the Department of Labor and Industries (Department) may enter agreements with other states and Canadian provinces regarding conflicts of jurisdiction where the contract of employment is in one state and the injury occurs in another.

In some cases, employers pay premiums in both Washington and another state for the same work. The Workers' Compensation Advisory Committee (Committee) is a statutory committee that studies any aspects of workers' compensation that the Committee decides requires its consideration.

**Summary of Bill:**

Washington employers who are not self-insured must cover Washington workers for temporary and incidental work performed on jobs or at job sites in another state. For work in excess of temporary and incidental, the Department may adopt rules governing premium liability and reporting requirements.

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*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.*

"Temporary and incidental" is defined as work by Washington employers on jobs or at job sites in another state for 30 or fewer consecutive or non-consecutive full or partial days within a calendar year. Temporary and incidental days are considered on a per state basis.

The Department must report to the Committee on the effect of the new provisions on the revenue and costs to the state fund by December 1, 2011.

**Rules Authority:** The bill does not address the rule-making powers of an agency.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.