

SENATE BILL REPORT

SSB 6286

As Passed Senate, February 16, 2016

Title: An act relating to reimbursement of correctional employees for offender assaults.

Brief Description: Concerning reimbursement of correctional employees for offender assaults.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Pearson, Roach, Padden, Takko, Hargrove, Billig, Hewitt and Conway).

Brief History:

Committee Activity: Law & Justice: 1/25/16, 2/03/16 [DPS-WM].

Ways & Means: 2/08/16, 2/09/16 [DPS(LAW), w/oRec].

Passed Senate: 2/16/16, 49-0.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 6286 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille, Frockt, Pearson and Roach.

Staff: Melissa Burke-Cain (786-7755)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 6286 as recommended by Committee on Law & Justice be substituted therefor, and the substitute bill do pass.

Signed by Senators Hill, Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey, Becker, Billig, Brown, Conway, Darneille, Hasegawa, Hewitt, Nelson, O'Ban, Padden, Parlette, Pedersen, Rolfes, Schoesler and Warnick.

Minority Report: That it be referred without recommendation.

Signed by Senator Braun, Vice Chair.

Staff: Travis Sugarman (786-7446)

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.

Background: Employees of the Department of Corrections and the Department of Natural Resources who are assaulted by an offender at work and miss work because of their injuries may receive supplemental reimbursement. The employee is ineligible for reimbursement if the assault is attributable to the employee's negligence, misconduct, or violation of any employment rules or conditions. The reimbursements are considered wages or salary. An employee has no contract right to continue receiving reimbursement if the Legislature discontinues this reimbursement program or repeals the law authorizing reimbursement.

Summary of Substitute Bill: Corrections and Department of Natural Resources employees who are injured by an offender assault may receive supplemental benefits in addition to the time-loss benefits injured workers receive from the Department of Labor and Industries. The injured employee may continue to receive the supplemental benefits for 365 days after the accident or longer, if additional time-loss benefits are provided more than one year after the injury.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Original Bill (Law & Justice): PRO: Corrections facilities are dangerous places to work. Staff at these facilities can be attacked without warning and may be seriously injured. The purpose of this bill is to extend the time past the current 365 day limit for supplemental wage benefits in case it takes longer than a year for the staff member to recover from an on-the-job assault by an offender. Just today, a staff member at the Clallam Bay facility was seriously injured and taken to a hospital for treatment. In the past few years Department of Corrections data shows the following number of staff who have sustained inmate assault injuries that lasted longer than a year: in 2013, four staff ; in 2014, eight staff; in 2015, seven staff.

Persons Testifying on Original Bill (Law & Justice): PRO: Senator Pearson, prime sponsor; Brenda Wiest, Teamsters Local 117; Stephen Sinclair, WSDOC.

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

Staff Summary of Public Testimony on First Substitute (Ways & Means): PRO: Corrections staff work tirelessly inside our prisons to keep our communities safe. Staff work with inmates daily. Unfortunately, physical assaults are commonplace. Thankfully many of these incidents do not result in life threatening injuries, but some staff do require over a year to recover. In the past three years, 18 staff have been injured so severely that it took longer than one year to recover and return back to work. This can make a financial difference for families.

Persons Testifying on First Substitute (Ways & Means): PRO: Brenda Wiest, Teamsters 117.

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