

# SENATE BILL REPORT

## SB 5701

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As of January 13, 2022

**Title:** An act relating to determining monthly wages for workers' compensation.

**Brief Description:** Determining monthly wages for workers' compensation.

**Sponsors:** Senators Nguyen, Frockt, Hasegawa and Wilson, C..

**Brief History:**

**Committee Activity:** Labor, Commerce & Tribal Affairs: 1/17/22.

**Brief Summary of Bill**

- Requires that the monthly wage for worker's compensation purposes for any resident, inmate, or patient of a state, county, or municipal correctional, detention, treatment or rehabilitative institution be computed on the basis of the usual wage paid other employees engaged in like or similar occupations where the wages are fixed.
- Provides that "other employees" does not include any resident, inmate, or patient of a state, county, or municipal correctional, detention, treatment or rehabilitative institution.

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### SENATE COMMITTEE ON LABOR, COMMERCE & TRIBAL AFFAIRS

**Staff:** Susan Jones (786-7404)

**Background:** Workers who, in the course of employment, are injured or disabled from an occupational disease are entitled to workers' compensation benefits, which may include medical, temporary time-loss, vocational rehabilitation benefits, and permanent disabilities benefits. Occupational disease means a "disease or infection as arises naturally and proximately out of employment under the mandatory or elective adoption provisions of this title." The Department of Labor and Industries administers the state's workers'

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compensation system.

The monthly wages the worker was receiving from all employment at the time of injury is the basis upon which compensation is computed. In cases where a wage has not been fixed or cannot be reasonably and fairly determined, the monthly wage is computed on the basis of the usual wage paid other employees engaged in like or similar occupations where the wages are fixed.

**Summary of Bill:** The monthly wage for workers' compensation purposes for any resident, inmate, or patient of a state, county, or municipal correctional, detention, treatment or rehabilitative institution must be computed on the basis of the usual wage paid other employees engaged in like or similar occupations where the wages are fixed. Other employees do not include any resident, inmate, or patient of a state, county, or municipal correctional, detention, treatment or rehabilitative institution.

**Appropriation:** None.

**Fiscal Note:** Requested on January 11, 2022.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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