

## ● INDUSTRIAL INSURANCE LAW

*STATUTORY CITATION:* Wash. Rev. Code §§ 51.04.010 – 51.98.070

*GENERAL SUMMARY:* Each worker who is injured in the course of employment or who contracts an occupational disease is entitled to receive medical treatment, wage replacement benefits if unable to work, and other compensation. If the injury or disease leads to the worker's death, compensation is payable to the worker's surviving dependents. A worker who is injured on the job has the right to necessary medical, surgical and hospital services until reaching maximum medical improvement. These benefits are payable without regard to fault and in lieu of the worker's right to legal action against the employer in connection with the injury or disease.

To finance the state industrial insurance program, most employers are required to (1) pay quarterly premiums to the state workers' compensation fund, or (2) qualify as a self-insurer. One-half the cost of the medical portion of the premium can be deducted and withheld from the employees' wages for those covered by the state fund. Cost-of-living adjustments for wage replacement and pension benefits are paid from the state supplemental pension fund, and these premiums are paid equally by employers and workers.

*PROVISIONS APPLICABLE TO AGRICULTURE:* The industrial insurance law applies to all agricultural employers with one or more employees, and protects all agricultural workers, to the same extent as their counterparts in other covered industries.

### *ADMINISTRATION AND ENFORCEMENT*

*PRIMARY ENFORCEMENT AGENCY* — *Insurance Services Division, Washington State Department of Labor and Industries, Olympia, Washington 98504 (360-902-5800).* The Department is responsible for determining the liability of employers for industrial insurance premiums, collecting premiums from subject employers, determining the eligibility of injured workers or their dependents for compensation benefits, paying compensation to eligible workers and beneficiaries, and overseeing the medical, surgical and hospital treatment of covered employees. It is the worker's duty to promptly report to the employer any job-related accident which affects the worker, and the employer must in turn notify the Department whenever an accident results in an employee's injury, hospitalization, disability or death. Medical providers are required to assist the worker with filing a workers' compensation claim.

Any worker injured on the job, or the dependent of any such worker, may file a claim or application for compensation with the Department (or with the employer, if the employer is self-insured). In general, no claim is enforceable unless filed within one year after occurrence of the injury or death on which the claim is based.

*SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY* — *None.*