



WSLC Legislative Update

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A weekly report from the Washington State Labor Council, AFL-CIO



What about injured workers?!

Today's hysterical editorial (not the funny kind, the frothing-at-the-mouth kind) in *The News Tribune* tells you all you need to know about this year's manufactured "mandate" to cut injured workers' benefits and the fictions upon which that campaign is based.

People who have lost their livelihoods due to work-related injury or illness—the ones for whom the workers' compensation system exists, the ones for whom "sure and certain relief" is, by law, the system's goal—are mentioned just once. That would be when the *News Tribune* suggests that these lucky bastards are all eagerly lining up for the lifetime pensions that the state is handing out as fast as it can print the checks.

Here's the sad truth. Most people don't know what workers' compensation even is. Trust us. We've done focus groups.

Most don't know that it is insurance to cover their medical expenses in case they get hurt at work. And if they can't immediately return to work, the system partially replaces their lost income so they don't lose their car and house and stuff.

Other things most people don't know:

- Three out of four injured workers miss no work, or miss less than 3 days, so they get medical benefits only.
- Of those remaining one-in-four folks whose injuries are so serious they can't quickly return to work, the median number of days they collect time-loss benefits is 40 days. A study by the National Council on Compensation Insurance of 37 states that shows a median time-loss duration of 45 days.
- Just 1.5% of claims become pensions, where the person is permanently disabled and unable to return to work.

Most people also don't know that workers' compensation protects their employers from lawsuits that could bankrupt their company, which is why business groups sought it in the first place a century ago. And most importantly in the context of the business-centric worldview of the media elite, people do not know that **Washington's system has among the lowest employer premiums in the country.** Only four states are cheaper, according to industry experts.

No, if a casual reader stumbled unto today's *News Tribune* editorial, they might conclude workers' compensation is an astronomically high tax that the state has established for the sole purpose of convincing employers to leave Washington.

That, or some sort of lottery they want to buy a ticket for.

They'd also think that the only things unions care about are killing businesses and bullying politicians. What else could possibly be their motivation? (Unless they have figured out some diabolical way to skim millions of dollars every year from the system! That plotline would be so retro.)

The suggestion that there is a "mandate" to reform the workers' compensation system is ridiculous. We see health care reform rallies. We see war protesters. We see teabaggers who hate paying their taxes. We see all sorts of people who care about all sorts of things out there demonstrating and protesting for and against this and that. But we have yet to see any evidence of public support for cutting injured workers' benefits or making it harder to receive them.

We see corporate lobbying groups and certain politicians criss-crossing the state to tell business owners they are getting a raw deal, that the government doesn't care about them, and the grass is greener across the state line. (Those politicians are having a tough time getting elected with their "Washington Sucks" message though. Right, Dino?) We see the think tanks they fund and the consultants they hire churning out "studies" that decry our workers' compensation system. And we see newspaper editorial writers accept their findings as fact and entirely ignore the perspectives of injured workers.

That ain't a mandate. That's an echo chamber.

Look, nobody thinks they'll get injured at work. It's especially easy to understand why a newspaper editorial writer, for example, might not value this insurance much. Unless she leans against her desk, slips on the spittle beside her keyboard and cracks her head on her Chamber of Commerce award, she is unlikely to ever suffer a disabling work injury.

Even people who work in dangerous industries like construction, firefighting or agriculture, to name a few, don't think they will ever be injured at work. But it should come as some comfort that if the unimaginable does happen—which it does *every single day*—there is a safety net for your family.

We, in organized labor, urge all state lawmakers to ignore the manufactured noise, stick to the facts, and most importantly, retain their focus on the welfare of people who've

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temporarily—or God forbid, *permanently*—lost their ability to provide for their family because of work injury.

Workers' compensation work session Monday

No, our public workers' compensation system isn't perfect. There are certainly ways to make it better for both injured workers and employers.

On Monday at 10 a.m., the Senate Labor, Commerce & Consumer Protection Committee will hold a work session on workers' compensation. Business groups will no doubt discuss what they would like to change, and advocates for injured workers will discuss what they'd like to change. We will also learn from the successes and mistakes of other states, including testimony from Tom Rankin, former president of the California Labor Federation.

State employee furlough bill unfair, extreme

SB 6503 would require state agencies to place workers on mandatory furloughs one day a month or offer alternative plans that save the same amount of money. This legislation takes a far more aggressive and punitive approach to state employee furloughs than other states.

During a hearing on the bill this week, the Washington Federation of State Employees, AFSCME Council 28 presented a comparison that showed this proposal required more furlough days than any other of 16 comparable states. And of those states surveyed, only Washington was demanding both health care cuts and unpaid furlough days.

WFSE Executive Director Greg Devereux suggested that legislators take a different approach of shared sacrifice rather than contributing to the downward recessionary spiral of wage and benefit cuts that will further harm the economy.

"Since 2000, this Legislature has passed 154 tax exemptions -- 27 percent of the total tax exemptions in this state -- totaling \$3 billion," Devereux said. "I would imagine some of those are excellent and they create jobs. But some of them probably could be furloughed or suspended temporarily to bridge us through this period."

Unfortunately, SB 6503 appears to be on the fast track to passage. The Senate approved it 27-17 a week ago and the House could take similar action at any time. We urge Representatives to vote "no." State employees have already lost their cost-of-living wage increases, suffered significant increases in out-of-pocket health costs, and many have lost their jobs entirely. With the yet-unveiled supplemental budget sure to bring more bad news for all state employees, rushing through this punitive bill in advance is excessive and unfair.

Employees: Just another 'special interest'

HB 2986 would require the appointment of nonvoting la-

bor members to public transportation governing bodies. The idea is to bring the on-the-ground experience and expertise of actual transit agency workers, the folks who see the problems and interact directly with the customers, to the local transit boards. A common-sense proposal like this shouldn't attract much opposition, right? Wrong.

At Monday's hearing in the House Local Government Committee, Geri Beardsley, executive director of the Washington State Transit Association, testified it was "a solution without a problem" and repeatedly referred to the front-line transit workers as a "special interest." What's next, she asked, requiring environmentalists to be represented on the boards?

Tim Russ of the Pacific Transit System read a letter from Raymond Mayor Robert Junger summarizing the opposition: "The board operates as a policy-making group dealing with the operation of a transit system. This is not union business."

Clearly surprised and dismayed by the testimony, committee chair and HB 2986 sponsor Rep. Geoff Simpson (D-Covington) said, "I would suggest that the tenor of the letter supports the reason why this bill is absolutely necessary... We're not talking about special interest groups, we're talking about people who work for your organization."

The committee approved HB 2986. Ultimately, even House Minority Leader Rep. Richard DeBolt (R-Chehalis) supported advancing the bill. He noted that when workers testify they are being disrespected, then employer representatives come before the committee and openly disrespect them, you know there must be some merit to the proposal.

Help college academic employees help themselves

One of several excellent collective bargaining bills to be heard this past week was HB 1340, which would allow academic employees at community and technical colleges to bargain not just over state dollars but also over the local fees, grants and tuition the colleges receive. Academic employees at regional colleges and universities already have this ability.

In 2008, a Compensation Task Force of the State Board of Community and Technical Colleges found that our academic employees' wages are 44% below those in global challenge states, 37% behind our regional competitors, and 12% below the national average. One of the big reasons for this is that these employees are restricted from bargaining over a large portion of the money these colleges receive. For example, at Edmonds Community College, these fees represent 40% of the budget. The average age of these academic workers is now over 50. Raising their wages through collective bargaining is the best way to attract more young people to these critically important jobs.

As for the other collective bargaining bills, we will report on them in future editions. In the meantime, check out the WSLC's Legislative Tracker™ at www.wslc.org for descriptions and status reports on those bills.