

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith without my approval as to subsection 5 of Section 3, Substitute House Bill No. 396, entitled:

"AN ACT Relating to making state eligibility requirements for grant assistance programs consistent with federal law;"

Subsection 5 of Section 3 would establish a state procedure for computer matching of Internal Revenue forms of all people applying for assistance in order to verify their income and resources. This procedure would be implemented by December 31, 1985. However, the federal government must be a partner in this endeavor, and the federal regulations upon which the procedures will be based have not been finalized. Therefore, since this program must be in place by federal requirement on October 1, 1986, the state should not implement a program at an earlier date that may need substantial revision to bring it into conformance with federal law.

With the exception of subsection 5 of Section 3, Substitute House Bill No. 396 is approved."

CHAPTER 336

[Substitute House Bill No. 358]

EMPLOYEE PERSONNEL FILES—INSPECTION AND CORRECTION BY EMPLOYEE

AN ACT Relating to employees' personnel files; and adding new sections to chapter 49.12 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. Every employer shall, at least annually, upon the request of an employee, permit that employee to inspect any or all of his or her own personnel file(s).

NEW SECTION. Sec. 2. (1) Each employer shall make such file(s) available locally within a reasonable period of time after the employee requests the file(s).

(2) An employee annually may petition that the employer review all information in the employee's personnel file(s) that are regularly maintained by the employer as a part of his business records or are subject to reference for information given to persons outside of the company. The employer shall determine if there is any irrelevant or erroneous information in the file(s), and shall remove all such information from the file(s). If an employee does not agree with the employer's determination, the employee may at his or her request have placed in the employee's personnel file a statement containing the employee's rebuttal or correction. Nothing in this subsection prevents the employer from removing information more frequently.

(3) A former employee shall retain the right of rebuttal or correction for a period not to exceed two years.

NEW SECTION. Sec. 3. Sections 1 and 2 of this act do not apply to the records of an employee relating to the investigation of a possible criminal offense. Sections 1 and 2 of this act do not apply to information or records compiled in preparation for an impending lawsuit which would not be

available to another party under the rules of pretrial discovery for causes pending in the superior courts.

NEW SECTION. Sec. 4. Sections 1 through 3 of this act are each added to chapter 49.12 RCW.

Passed the House April 25, 1985.

Passed the Senate April 19, 1985.

Approved by the Governor May 16, 1985.

Filed in Office of Secretary of State May 16, 1985.

CHAPTER 337

[Engrossed Substitute House Bill No. 1082]

ACCIDENT AND MEDICAL AID FUND PREMIUMS—EXPERIENCE AND RETROSPECTIVE RATING

AN ACT Relating to retrospective and experience rating for accident and medical aid fund premiums under industrial insurance; adding a new section to chapter 51.36 RCW; and creating new sections.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. It is the intent of the legislature to require the department of labor and industries to implement experience rating and retrospective rating of both accident and medical aid fund premiums no later than January 1, 1989.

The legislature believes that experience rating industrial insurance premiums is a proven method of rewarding employers who promote workplace safety and can provide a significant incentive for employers and employees to reduce work related injuries. However, the legislature finds that before experience rating is implemented it is necessary to study its potential impact on small and large employers.

NEW SECTION. Sec. 2. The department of labor and industries shall report to the commerce and labor committees of the house of representatives and senate no later than December 1, 1986, regarding its plan to implement experience and retrospective rating of the medical aid fund premium, and the impact of experience rating on employer and employee medical aid fund premium rates, including but not limited to the average change in premium rates and the maximum and minimum modification factors for small and large employers.

NEW SECTION. Sec. 3. A new section is added to chapter 51.36 RCW to read as follows:

An employer may request review of billings for any medical and surgical services received by a worker by submitting written notice to the department. The department shall investigate the billings and determine whether the worker received services authorized under this title. Whenever such medical or surgical services are determined to be unauthorized, the