

such certificate of such board, officer or other authority shall be final and conclusive.

In computing the valuation of such property any non-assessable property owned by the United States, state, county, city, town, school district or other public corporation, shall be valued at the same rate as assessed property similarly situated.

Property included in valuation computation.

Passed the House February 10, 1923.

Passed the Senate March 6, 1923.

Approved by the Governor March 16, 1923.

CHAPTER 136.

[H. B. 213.]

WORKMEN'S COMPENSATION ACT.

AN ACT relating to the compensation and medical and surgical care of workmen injured and the safety of workmen engaged in extra hazardous employment, and amending sections 7676, 7679, 7682, 7684, 7692, 7696, 7712, 7713, 7714, 7719, 7725, 7751, 7774, 7775, 7781, 7782, 7783, 7784, and 7786 of, and repealing sections 7677, 7678, 7691, 7721, 7722, 7750, 7753, 7760, 7776, 7777, 7778, 7779, 7785 and 7787 of Remington's Compiled Statutes of Washington.

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

SECTION 1. That Section 7676 of Remington's Compiled Statutes of Washington be amended to read as follows:

Amends Rem. Comp. Stat. § 7476; Pierce's Code § 3471.

Section 7676. Inasmuch as industry should bear the greater portion of the burden of the cost of its accidents, each employer shall, prior to January 15th, May 15th and September 15th of each year, pay into the state treasury for the accident fund a sum equal to a percentage of his total payroll for the preceding four calendar months, and for the medical aid fund a certain number of cents for each day worked by workmen in extra-hazardous employment

Accident fund payments.

Medical aid fund payments.

Adjustment.

during the preceding four calendar months, in accordance with the following schedule, to wit: (The same being deemed the most accurate method of equitable distribution of burden in proportion to relative hazard) : *Provided*, That an adjustment shall be made in each class of the accident fund having an average rate of one per cent or more by the director of labor and industries through and by means of the division of industrial insurance thirty (30) days prior to such four months call, and the amount of such call, together with the amount of the estimated balance in the accident fund of such class at the time of the call, shall not exceed one hundred and twenty-five per cent of the estimated amount required to carry such class for the succeeding four months based on the previous five years experience of such class, but there may be added the amount of the estimated deficit, if any, in the accident fund of such class at the time of such call.

INDUSTRIES.

Class 1.	Class 1.	Industrial Insurance Rate, Per Cent of Payroll.	Medical Aid Rate, Cents Per Day.
	1-1 Ditches and canals (not otherwise specified)	2%	3
	Excavations (not otherwise specified).....	2%	3
	Pipe laying (not otherwise specified).....	2%	3
	Grading (not otherwise specified).....	2%	3
	Diking	2%	3
	1-2 Drilling wells	2%	2
	1-3 Shaft sinking (not otherwise specified).....	4%	3
	Digging wells	4%	3
	1-4 Sewers (including all operations incidental to sewer construction; pipe laying, back filling, etc.)	3%	3
	Side sewers	3%	3
	Conduit construction	3%	3
	Water main construction (includes all operations incidental to water main construction; back filling, pipe laying, etc.).....	3%	3
	Tunnel work in connection with sewer and water main construction	3%	3
	Trenches, ditches, excavations where depth is greater than width.....	3%	3

	Industrial Insurance Rate, Per Cent of Payroll.	Medical Aid Rate, Cents Per Day.	
1-5 Tunnels (not otherwise specified includes lining of tunnels	2½%	2½	
(Includes all labor in connection with and incidental to tunnel construction.)			
1-6 Tunnels, railroad (includes lining of tunnels)	4%	3	
1-7 Land clearing (includes clearing by all methods)	3%	3	
Clearing rights of way for roads and railroads	3%	3	
Clearing rights of way (not otherwise specified)	3%	3	
Grubbing stumps (includes grubbing stumps by all methods)	3%	3	
1-8 Railroad construction (not otherwise specified)	2½%	3	
(Excludes all bridge and trestle work.)			
Railroad grading	2½%	3	
Class 2.			Class 2.
2-1 Bridges and bridge work.....	3%	3	
Steel bridges	3%	3	
Concrete bridges	3%	3	
Wooden bridges	3%	3	
Concrete or other types of culverts with span greater than 12 feet	3%	3	
Bridge foundations	3%	3	
Sub-aqueous work	3%	3	
Trestles, framed or pile.....	3%	3	
Wharf and pier construction.....	3%	3	
Pile driving	3%	3	
Bulkhead construction	3%	3	
Breakwaters and jetties.....	3%	3	
Marine railways	3%	3	
Class 5.			Class 5.
5-1 Window washing (excludes domestic servants regularly employed for other purposes)....	3%	3	
Washing or cleaning buildings.....	3%	3	
5-2 Brick work	1%	2	
Stone work	1%	2	
Marble, tile, terra cotta.....	1%	2	
Chimneys (brick)	1%	2	
Slate work	1%	2	
5-3 Plumbing	¾%	2	
Installation of heating and ventilation systems	¾%	2	
Furnaces (installation in buildings).....	¾%	2	

	Industrial Insurance Rate, Per Cent of Payroll.	Medical Aid Rate, Cents Per Day.
5-4 Painting	2%	2
Sign painting	2%	2
Frescoing	2%	2
Kalsomining	2%	2
5-5 Carpenter work (not otherwise specified)....	1%	2
Hot house building	1%	2
Wooden stair building	1%	2
Lathing	1%	2
Grain elevators (wood)	1%	2
House wrecking and moving store or bank fixtures installations	1%	2
Advertising signs (wood).....	1%	2
Elevators, freight or passenger (installation)	1%	2
Ornamental metal work	1%	2
Glass setting (not otherwise specified).....	1%	2
Galvanized iron and tin work.....	1%	2
Fireproof doors and shutters	1%	2
Demolishing structures	1%	2
Safes and vaults (installation)	1%	2
5-6 Concrete construction (not otherwise speci- fied)	1%	2
Concrete culverts (less than 12 ft. span)....	1%	2
Concrete, plain or reinforced (not otherwise specified)	1%	2
Concrete floors and foundations	1%	2
Chimneys (concrete)	1%	2
Erection and tearing down of forms in con- nection with concrete work	1%	2
5-7 Plastering	$\frac{3}{4}\%$	1
Paper hanging	$\frac{3}{4}\%$	1
Floor compositions (hot or cold).....	$\frac{3}{4}\%$	1
Mantel setting	$\frac{3}{4}\%$	1
Tile setting in floors	$\frac{3}{4}\%$	1
5-8 Iron and steel structures (not otherwise specified)	4%	3
Tanks, wood or metal (erection)	4%	3
Chimneys, metal (erection)	4%	3
Windmills, wood or metal (erection).....	4%	3
Fire escapes	4%	3
5-9 Hardwood floors (laying)	$\frac{1}{2}\%$	1
5-10 General construction (includes all operations by temporary employers in building con- struction)	1%	2

		Industrial Insurance Rate. Per Cent of Payroll.	Medical Aid Rate. Cents Per Day.	
Class 6.				
6-1	Electric apparatus (installation in buildings)	¾ %	1½	Class 6.
	Electric wiring (inside)	¾ %	1½	
	Automatic sprinklers (installation)	¾ %	1½	
	Conduit work (excludes construction of conduit)	¾ %	1½	
	Fire alarm systems (installation)	¾ %	1½	
6-2	Electric railway construction.....	2%	3	
	Street railway construction (including cable) (excludes grading and bridge work).....	2%	3	
	Telegraph and telephone construction.....	2%	3	
	Transmission lines (construction)	2%	3	
6-3	Installation of machinery (not otherwise specified)	1½ %	2	
	Dynamo installation	1½ %	2	
	Covering steam pipes and boilers.....	1½ %	2	
	Gas engines (installation)	1½ %	2	
	Boilers and engines, steam (installation)....	1½ %	2	
	Belts, pulleys, shafting (installation)	1½ %	2	
	Dismantling machinery	1½ %	2	
6-4	Junk dealers	1%	1½	
Class 8.				
Class 8.				
8-1	Street and highway paving (construction)..	½ %	1½	
	Asphalt paving	½ %	1½	
	Brick paving	½ %	1½	
	Block paving (wood, stone).....	½ %	1½	
	Concrete paving	½ %	1½	
	Bituminous pavements (all types).....	½ %	1½	
	Asphalt mixing	½ %	1½	
	Concrete sidewalks	½ %	1½	
	Plank sidewalks	½ %	1½	
	Road and highway pavements (not otherwise specified)	½ %	1½	
	Plank road and street construction.....	½ %	1½	
8-2	Road and street grading.....	½ %	1½	
8-3	Road and street maintenance.....	½ %	1½	
	Road and street employees.....	½ %	1½	
	Irrigation ditches (maintenance).....	½ %	1½	
	Ditches (not otherwise specified) (maintenance)	½ %	1½	
	Engineers and surveyors (includes city, county or state engineers engaged in field work)	½ %	1½	
8-4	Gravel bunkers (operation).....	½ %	1½	
	Sand bunkers (operation).....	½ %	1½	

		Industrial Insurance Rate. Per Cent of Payroll.	Medical Aid Rate. Cents Per Day.
Class 9.	Class 9.		
	9-1 Ship or boat building (steel hulls).....	1½%	3
	Repair work on steel vessels (includes all operations incidental to this industry with- in shipyard)	1½%	3
	9-2 Ship or boat building (wooden hulls).....	3%	3
	Repair work on wooden vessels (includes all operations incidental to this industry with- in shipyard)	3%	3
	9-3 Ship or boat building (concrete hulls).....	3%	3
	Repair work on concrete vessels (includes all operations within shipyard)	3%	3
	9-4 Steamboats, tugs, ferries, (operation).....	3%	1
Class 10.	Class 10.		
	10-2 Saw mills	1-¾%	2
	Planing mills (independent).....	1-¾%	2
	Planing mills (not otherwise specified).....	1-¾%	2
	Lath mills	1-¾%	2
	Spars (with or without machinery).....	1-¾%	2
	10-3 Shingle mills	1-¾%	2
	10-6 Creosote works	2%	2
	Pile treating works	2%	2
	10-7 Lumber inspectors	1-¾%	2
Class 11.	Class 11.		
	11-1 Team and truck driving (includes all ware- houses operated by transfer companies)...	1%	1½
	11-2 Retail lumber yards	1%	1½
	Retail fuel yards (includes wood saws and all employees in fuel yards).....	1%	1½
Class 12.	Class 12.		
	12-1 Dredging (operation)	2%	1½
Class 13.	Class 13.		
	13-1 Electric light and power plants (operation) ..	1½%	2
	Electric systems (not otherwise specified)....	1½%	2
	(Includes tenders of electrically operated bridges)		
	13-2 Steam heat and power plants.....	2%	2
	13-3 Telephone and telegraph (operation and maintenance) (excludes telephone and tele- graph operators)	3%	2
Class 14.	Class 14.		
	14-1 Street railways (operation).....	¾%	2½
	14-2 Interurban railways (operation).....	1½%	2½
	14-3 Steam railroad operations (excludes logging railroads)	2½%	2½

	Industrial Insurance Rate, Per Cent of Payroll.	Medical Aid Rate, Cents Per Day.	
Class 16.			Class 16.
16-1 Coal mines (includes shaft sinking and all tunnelling in connection with coal mines). Coke ovens (operation) (excludes office force only)	2½ % 2½ %	2½ 2½	
Class 17.			Class 17.
17-1 Gravel pits	4%	3	
17-2 Mines (other than coal) (includes all shaft sinking and tunnelling in connection with mines other than coal)	2½ %	3	
Ore reduction (by wet or dry process at the mine)	2½ %	3	
17-3 Quarries	2½ %	3	
Stone cutting (quarry hazard).....	2½ %	3	
17-4 Stone crushing	3%	3	
Class 18.			Class 18.
18-1 Blast furnaces (operation)	1-¾ %	2½	
Rolling mills (operation)	1-¾ %	2½	
Steel and iron making	1-¾ %	2½	
Open hearth furnaces (operation)	1-¾ %	2½	
18-2 Smelters (operation)	1-¼ %	2½	
Copper, lead, zinc, etc., smelting.....	1-¼ %	2½	
Class 19.			Class 19.
19-1 Gas works (operation) (excludes meter readers, complaint men, solicitors, and store room employees)	½ %	1½	
Class 21.			Class 21.
21-1 Chop, feed, and flour mills (operation).....	1%	2	
Seed cleaning	1%	2	
21-2 Grain warehouse and elevators (operation)..	1%	1½	
21-3 General warehouse and storage (operation).. (Excludes operations in connection with Class 11)	1%	1½	
21-4 Fruit warehouses	¾ %	1½	
Class 22.			Class 22.
22-1 Laundries (operation)	½ %	1½	
Dye works and cleaners	½ %	1½	
Class 23.			Class 23.
23-1 Water works (operation)	1%	1½	
Class 24.			Class 24.
24-1 Paper mills (operation)	1½ %	3	
Pulp mills (operation)	1½ %	3	

Class 29.	Class 29.	Industrial Insurance Rate. Per Cent of Payroll.	Medical Aid Rate. Cents Per Day.
	29-1 Cooperage (manufacturing)	1%	2
	Staves, barrel (manufacturing).....	1%	2
	Barrels, kegs, pails (manufacturing).....	1%	2
	29-2 Sash, door, blinds, etc.	1%	2
	Planing mill (in connection with sash and door factory)	1%	2
	Glazing and beveling glass (in connection with sash and door)	1%	2
	29-3 Excelsior (manufacturing)	$\frac{3}{4}\%$	2
	Veneering (manufacturing)	$\frac{3}{4}\%$	2
	Cabinet works	$\frac{3}{4}\%$	2
	Furniture (manufacturing)	$\frac{3}{4}\%$	2
	Boxes and packing cases (manufacturing)..	$\frac{3}{4}\%$	2
	Wooden and fibre ware (manufacturing)...	$\frac{3}{4}\%$	2
	Wood working (not otherwise specified)....	$\frac{3}{4}\%$	2
	Kindling wood	$\frac{3}{4}\%$	2
	Wood pipe (manufacturing)	$\frac{3}{4}\%$	2
	Pattern shops (independent)	$\frac{3}{4}\%$	2
Class 31.	Class 31.		
	31-1 Building material (manufacturing) (not otherwise specified)	$1\frac{1}{2}\%$	$1\frac{1}{2}$
	Concrete blocks and tiles (independent of concrete construction)	$1\frac{1}{2}\%$	$1\frac{1}{2}$
	Cement staves (independent of concrete con- struction)	$1\frac{1}{2}\%$	$1\frac{1}{2}$
	Lime (manufacturing)	$1\frac{1}{2}\%$	$1\frac{1}{2}$
	Paint (manufacturing)	$1\frac{1}{2}\%$	$1\frac{1}{2}$
	31-2 Cement (manufacturing)	2%	3
	31-3 Stone handling and cutting (not quarry hazard)	1%	3
	Paving blocks (cutting)	1%	3
Class 33.	Class 33.		
	33-1 Fish canneries (operation)	1%	2
	33-2 Fish oil (manufacturing)	1%	2
	Fish products (not otherwise specified).....	1%	2
Class 34.	Class 34.		
	34-1 Auto repair shops (operation)	$\frac{1}{3}\%$	2
	Auto garages (operation)	$\frac{1}{3}\%$	2
	Vulcanizing tires and tubes	$\frac{1}{3}\%$	2
	Automobile painting	$\frac{1}{3}\%$	2
	34-2 Machine shops (operation)	$\frac{1}{2}\%$	$2\frac{1}{2}$
	Blacksmith shops (operation)	$\frac{1}{2}\%$	$2\frac{1}{2}$
	Boiler works (operation)	$\frac{1}{2}\%$	$2\frac{1}{2}$
	Foundries (operation)	$\frac{1}{2}\%$	$2\frac{1}{2}$

	Industrial Insurance Rate. Per Cent of Payroll.	Medical Aid Rate. Cents Per Day.
Wood working (incidental to car and machine building)	1/2 %	2 1/2
Welding (not otherwise specified)	1/2 %	2 1/2
34-4 Metal working trades (not otherwise specified)	1/3 %	2
Sheet metal (manufacturing)	1/3 %	2
Metal stamping	1/3 %	2
Tin stamping	1/3 %	2
Hardware (manufacturing)	1/3 %	2
Galvanized iron works	1/3 %	2
34-5 Aeroplane pilots and instructors.....	10%	3
Class 35.		Class 35.
35-1 Brick and tile (manufacturing).....	1%	1 1/2
Earthenware (manufacturing)	1%	1 1/2
Porcelain (manufacturing)	1%	1 1/2
Fireclay (manufacturing)	1%	1 1/2
Terra cotta	1%	1 1/2
Pottery (manufacturing)	1%	1 1/2
35-2 Briquettes (manufacturing)	1%	1 1/2
Peat fuel (manufacturing)	1%	1 1/2
Charcoal (manufacturing)	1%	1 1/2
35-3 Glass (manufacturing)	1/2 %	1 1/2
Class 37.		Class 37.
37-1 Alcohol, ammonia, nitrogen, oxygen (manufacturing)	3/4 %	2
37-2 Bottling works (operation)	1 1/2 %	2
Breweries (operation)	1 1/2 %	2
Class 38.		Class 38.
38-1 Brooms and brushes (manufacturing).....	1/2 %	2
38-2 Textile (manufacturing)	1/2 %	2
Wool (working in)	1/2 %	2
Cloth (working in)	1/2 %	2
38-3 Cordage (manufacturing)	1%	2
38-4 Leather (working in)	1%	2
Rubber (working in)	1%	2
Vulcanizing (excludes work in garages)	1%	2
Asbestos products (manufacturing)	1%	2
38-5 Paper products (manufacturing)	1%	2
Class 39.		Class 39.
39-1 Bakeries, candy and crackers (manufacturing)	1/2 %	1
39-2 Foodstuffs (not otherwise specified)	1%	1
Fruits and vegetables (working in) (includes canning, preserving, pickling)	1%	1
Oils (working in edible oils)	1%	1
39-3 Sugar refineries (operation)	1%	1

		Industrial Insurance Rate, Per Cent of Payroll.	Medical Aid Rate, Per Cents Per Day.
Class 40.	Class 40.		
	40-1 Condensed milk (operation)	1%	1½
	40-2 Creameries (operation)	¼%	1½
	Ice cream (manufacturing)	¼%	1½
	Cheese making	¼%	1½
Class 41.	Class 41.		
	41-1 Electrotyping	½%	1
	Photoengraving	½%	1
	Lithographing	½%	1
	41-2 Printing	½%	1
	Linotype (includes all employees in room with machinery and shafting)	½%	1
	41-3 Jewelry manufacturing	1%	1
	Jewelry engraving	1%	1
Class 42.	Class 42.		
	42-1 Wharf operations	1-¾%	3
	Longshoring	1-¾%	3
Class 43.	Class 43.		
	43-1 Packing houses (operation)	1½%	2
	Sausage making	1½%	2
	Slaughtering	1½%	2
	Soap and tallow making	1½%	2
	Lard making	1½%	2
	Fertilizer manufacturing	1½%	2
	Stock yards (operation)	1½%	2
	Tanneries (operation)	1½%	2
	43-2 Garbage works (operation)	2%	2
	Incinerators (operation)	2%	2
Class 44.	Class 44.		
	44-1 Cold storage (operation)	1½%	2
	Artificial ice, mfg. and delivery	1½%	2
	44-2 Natural ice, producing and handling	2%	2
Class 45.	Class 45.		
	45-1 Theatre stage employees	½%	1
	Moving picture operators	½%	1
Class 46.	Class 46.		
	46-1 Powder works (manufacturing)	1½%	3
	Fire works (manufacturing)	3%	3
Class 48.	Class 48.		
	Elective adoption for non-hazardous industries	1%	2
Class 50.	Class 50.		
	50-1 Logging (includes all operations in connec- tion with and incidental to logging)	2¼%	2½
	Logging railroad operations	2¼%	2½

	Industrial Insurance Rate. Per Cent of Payroll.	Medical Aid Rate. Cents Per Day.
Logging railroad grading	2¼%	2½
Logging railroad construction (includes bridge and trestle work on logging rail- roads)	2¼%	2½
Cutting wood and bolts	2¼%	2½
Booming and driving logs (not otherwise specified)	2¼%	2½
Tie cutting	2¼%	2½
50-2 Booming logs (this sub-class exclusively for independent boom companies. All booming and driving done by logging companies must be classified as 50-1)	1½%	2½

The application of this act as between employers and workmen shall date from and include the first day of July, 1923. *Provided*, That this section shall not be effective until the first day of September, 1923. Every employer who shall enter into business at any intermediate day, or who shall resume operations in any work or plant after the final adjustment of his payroll in connection therewith, shall, before so commencing or resuming operations, as the case may be, notify the director of labor and industries of such fact, accompanying such notification with an estimate of his payroll for the first four months of his proposed operations, and shall make payment of the premium on such estimated payroll. Every such employer shall be liable for a premium of at least one dollar irrespective of the amount of his payroll.

Act to date
from
July 1, 1923.

Employer
commencing
or resuming
operations.

Every employer within the provisions of this act shall on or before the fifteenth day of January, the fifteenth day of May and the fifteenth day of September of each year furnish the department with a true and accurate payroll showing the aggregate number of work days, that is men-days, during which workmen were employed by him during the four preceding calendar months, the total amount paid to such workmen during said four months, and a segregation of employment in the different classes pro-

True
payroll.

vided in this act, and shall pay his premiums thereon to the accident fund and medical aid fund. The sufficiency of such statement shall be subject to the approval of the director of labor and industries.

Record of employment.

Every employer shall keep at his place of business a record of his employment from which the above information may be obtained and such record shall at all times be open to the inspection of the director of labor and industries, supervisor of industrial insurance, or the traveling auditors, agents or assistants of the department, as provided in Section 7690 of Remington's Compiled Statutes of Washington.

See Rem. Comp. Stat. § 7690; Pierce's Code § 3483.

Partners or other person excluded from payroll.

In all cases where partners or other persons are excluded on the payroll such statement shall state both the names and occupations of the parties excluded and no such persons shall be entitled to compensation unless notice in writing that such excluded person has been included is received by the department prior to the date of injury to such person. Such employer shall at the time of reporting his payroll also state the names and addresses of any contractor or subcontractor operating for or under him.

Failure to keep record, penalty.

Every person, firm or corporation who shall fail to keep such record or fail to make such report in the manner and at the time herein provided shall be subject to a penalty of one hundred dollars (\$100.00) for each such offense, to be collected by civil action in the name of the state and paid into the accident fund.

Failure to furnish estimated payroll, penalty.

Every employer who shall fail to furnish an estimated payroll and make payments as above provided shall be liable to a penalty of not to exceed five hundred dollars (\$500.00) and shall also be liable if an accident has been sustained by an employee prior to the time such estimate is received by the department, to a penalty in a sum equal to 50

per cent of the cost to the accident fund and medical aid fund of such accident, to be collected in a civil action in the name of the state, and paid into the accident fund. In case the consequent payment to the injured workman, his dependents or beneficiaries, be payable in monthly payments, the cost to the accident fund shall be estimated in accordance with the rule stated in Section 7681 of Remington's Compiled Statutes of Washington. The director of labor and industries may waive the whole or any part of any penalty charged under this act.

See Rem. Comp. Stat. § 7681; Pierce's Code § 3475.

Waiver of penalty.

Any employer who shall misrepresent to the department the amount of his payroll or the number of days upon which the premium under this act is based shall be liable to the state in ten times the amount of the difference in premium paid and the amount the employer should have paid, and shall also be guilty of a misdemeanor if such misrepresentation shall be made knowingly. Civil penalties to the state under this act shall be collected by civil action in the name of the state and paid into the accident fund.

Misrepresentation of payroll.

Penalty.

Action to collect civil penalties.

Any person, firm or corporation who not having previously reported to the department shall establish any new plant, or works, or enter upon the performance of any new building contract or construction contract and who shall fail to send written notice thereof to the department within five days after such establishing or entering shall be guilty of a misdemeanor.

New business or plant, duty to report, penalty for failure.

For the purpose of such payments into the accident fund accounts shall be kept with each industry in accordance with the classification herein provided and no class shall be liable for the depletion of the accident fund from accidents happening in any other class. Each class shall meet and be liable for the accidents occurring in such class. The fund

Classification of industry.

Class liability.

Accident
fund.

thereby created shall be termed the "accident fund" which shall be devoted to the purpose specified for it in this act.

See Rem.
Comp. Stat.
§ 7713;
Pierce's Code
§ 3502.

Medical aid
fund,
how kept.

The medical aid fund created in Section 7713 of Remington's Compiled Statutes of Washington shall not be kept by classes and all payments shall be made from the one fund, but accounts shall be kept with each class and subclass of industry in accordance with the classification herein provided for the purpose of computing the medical aid cost experience of such classes and subclasses and determining the correctness of the medical aid rates charged such classes and subclasses.

Accident fund
self-
supporting.

In that the intent is that the accident fund created under this section shall ultimately become neither more nor less than self-supporting, exclusive of the expense of administration, the rates named in this section are subject to future adjustment by the director of labor and industries, in accordance with any relative increase or decrease in hazard shown by experience, and if in the adjustment by the director of labor and industries the moneys paid into the fund of any class or classes shall be insufficient to properly and safely distribute the burden of accidents occurring therein, the department may divide, rearrange or consolidate such class or classes, making such adjustment or transfer of funds as it may deem proper.

Increase or
decrease in
hazard.

It shall be unlawful for the employer to deduct or obtain any part of the premium required by this section to be by him paid into the accident fund from the wages or earnings of his workmen or any of them, and the making or attempting to make any such deduction shall be a gross misdemeanor. The director of labor and industries shall make corrections of classifications as between classes of industries if and as experience shall show error or inac-

Unlawful
to deduct
premium
from
workmen.

curacy therein. From the original classification or premium rating or any change made therein any employer claiming to be aggrieved may upon application have a hearing before the joint board created by the administrative code upon notice to the interested parties and in the manner provided in Section 7697 of Remington's Compiled Statutes of Washington, a review by the courts.

Appeal from classification.

See Rem. Comp. Stat. § 7697; Pierce's Code § 3488.

If a single establishment or work comprises several occupations listed in this section in different risk classes, the premium shall be computed according to the payroll of each occupation, or in the discretion of the director of labor and industries, a single rate of premium may be charged for the entire establishment based upon the rate of premium of the occupation reporting the largest payroll. In computing the payroll the entire compensation received by every workman employed in extra-hazardous employment shall be included, whether it be in the form of salary, wage, piecework, overtime, or any allowance in the way of profit sharing, premium or otherwise, and whether payable in money, board, or otherwise.

Establishment comprising several different classes of occupations.

The director of labor and industries shall have power to authorize any employee of the department who is an attorney admitted to practice law in the State of Washington to appear for the department in any action instituted for the purpose of collecting industrial insurance premiums.

Attorney of department to collect premiums.

SEC. 2. That Section 7679 of Remington's Compiled Statutes of Washington be amended to read as follows:

Amends Rem. Comp. Stat. § 7679; Pierce's Code § 3472.

Section 7679. Each workman who shall be injured whether upon the premises or at the plant, or he being in the course of his employment, away from the plant of his employer, or his family or dependents in case of death of the workman, shall

Injured workman.

Compensation for injuries. receive out of the accident fund compensation in accordance with the following schedule, and, except as in this act otherwise provided, such payment shall be in lieu of any and all rights of action whatsoever against any person whomsoever.

COMPENSATION SCHEDULE.

Compensation schedule.

Death.

Burial fee.

(a) Where death results from the injury the expenses of burial not to exceed one hundred dollars (\$100.00) in any case where the deceased was an unmarried man, or one hundred and fifty dollars (\$150.00) in any case where the deceased left a widow or an orphan child or children shall be paid to the undertaker conducting the funeral: *Provided*, That no sum shall be paid an undertaker for the burial expenses where the deceased left a widow or an orphan child or children unless the undertaker shall make and file with the department an affidavit that no part of the burial expenses have been either directly or indirectly paid by or charged to the widow or orphan child or children.

Widow or invalid widower.

(1) If the workman leaves a widow or invalid widower, a monthly payment of thirty-five dollars (\$35.00) shall be made throughout the life of the surviving spouse, to cease at the end of the month in which remarriage shall occur, and the surviving spouse shall also receive per month for each child of the deceased under the age of sixteen years at the time any monthly payment is due the following payments: For the youngest or only child twelve dollars and fifty cents (\$12.50), for the next or second youngest child seven dollars and fifty cents (\$7.50), and for each additional child five dollars (\$5.00). *Provided*, That in addition to the monthly payments above provided for, a surviving widow of any such deceased workman shall be forthwith paid the sum of two hundred and fifty dollars (\$250.00).

Upon remarriage of a widow she shall receive once and for all, a lump sum of two hundred forty dollars (\$240.00), but the monthly payment for the child or children shall continue as before.

Remarriage
of widow.

(2) If the workman leave no wife or husband, but a child or children under the age of sixteen years, a monthly payment of twenty-five dollars (\$25.00) shall be made to each such child until such child shall reach the age of sixteen years, but the total monthly payment shall not exceed seventy-five dollars (\$75.00) and any deficit shall be deducted proportionately among the beneficiaries.

Children
under
16 years
of age.

(3) If the workman leaves no widow, widower, or child under the age of sixteen years, but leaves a dependent or dependents, a monthly payment shall be made to each dependent equal to fifty per cent of the average monthly support actually received by such dependent from the workman during the twelve months next preceding the occurrence of the injury, but the total payment to all dependents in any case shall not exceed twenty dollars (\$20.00) per month. If any dependent is under the age of sixteen years at the time of the occurrence of the injury, the payment to such dependent shall cease when such dependent shall reach the age of sixteen years. The payment to any dependent shall cease if and when, under the same circumstances, the necessity creating the dependency would have ceased if the injury had not happened.

Dependents.

If the workman is under the age of twenty-one years and unmarried at the time of his death, the parents or parent of the workman shall receive twenty dollars (\$20.00) per month for each month after his death until the time at which he would have arrived at the age of twenty-one years.

Parents of
workman
under 21
years of age.

(4) In the event a surviving spouse receiving monthly payment shall die, leaving a child or children under the age of sixteen years, such child or

If surviving
spouse dies
leaving
children.

children shall receive each the sum of twenty-five dollars (\$25.00) per month until arriving at the age of sixteen years, but the total monthly payment shall not exceed seventy-five dollars (\$75.00) and any deficit shall be deducted proportionately among the beneficiaries.

Permanent total disability.

(b) Permanent total disability means the loss of both legs, or arms, of one leg and one arm, total loss of eyesight, paralysis or other condition permanently incapacitating the workman from performing any work at any gainful occupation.

Schedule of compensation.

When permanent total disability results from the injury, the workman shall receive monthly during the period of such disability:

Workman unmarried.

(1) If unmarried at the time of the injury, the sum of thirty-five dollars (\$35.00).

Workman with wife or invalid husband.

(2) If the workman have a wife or invalid husband, but no child under the age of sixteen years, the sum of forty dollars (\$40.00).

Husband not an invalid.

If the husband is not an invalid the monthly payment of forty dollars (\$40.00) shall be reduced to twenty dollars (\$20.00) as long as they are living together as husband and wife.

Workman with wife or husband and child under 16 years of age.

(3) If the workman have a wife or husband and a child or children under the age of sixteen years, or, being a widow or widower, having any such child or children, the monthly payment provided in the preceding paragraph shall be increased by twelve dollars and fifty cents (\$12.50) for the youngest or only child, seven dollars and fifty cents (\$7.50) for the next or second youngest child, and five dollars (\$5.00) for each additional child under the age of sixteen years.

Disability requiring constant attendant.

(4) In case of total permanent disability, if the character of the injury is such as to render the workman so physically helpless as to require the services of a constant attendant, the monthly payment to

such workman shall be increased twenty-five dollars (\$25.00) per month so long as such requirement shall continue, but such increase shall not obtain or be operative while the workman is receiving care under or pursuant to any of the provisions of Sections 7712 to 7725, inclusive, of Remington's Compiled Statutes.

See Rem.
Comp. Stat.
§ 7712 to
§ 7725;
Pierce's Code
§ 3501 to
§ 3514.

(c) If the injured workman die, during the period of permanent total disability, whatever the cause of death, leaving a widow, invalid widower or child under the age of sixteen years, the surviving widow or invalid widower shall receive thirty-five dollars per month until death or remarriage, to be increased per month for each child of the deceased under the age of sixteen years at the time any monthly payment is due, as follows: For the youngest or only child twelve dollars and fifty cents (\$12.50), for the next or second youngest child seven dollars and fifty cents (\$7.50), and for each additional child five dollars (\$5.00); but if such child is or shall be without father or mother, such child shall receive twenty-five dollars (\$25.00) per month until arriving at the age of sixteen years. Upon remarriage the payments on account of the child or children shall continue as before to such child or children.

Death during
period of
disability.

An invalid child while being supported and cared for in a state institution shall not receive compensation under this act.

Invalid child
in state
institutions.

(d) (1) When the total disability is only temporary, the schedule of payments contained in paragraphs (1), (2) and (3) of the foregoing subdivision (b) shall apply, so long as the total disability shall continue, (2) but if the injured workman have a wife or husband and have no child or have a wife or husband with, or being a widow or widower with one or more children under the age of sixteen years, the compensation for the case during the first six months or such lesser period of time as the total

Temporary
total
disability.

temporary disability shall continue, shall be per month as follows, to-wit: Injured workman whose husband is not an invalid, twenty-two dollars and fifty cents (\$22.50); injured workman having one child, whose husband is not an invalid, thirty dollars (\$30.00); injured workman having two children, whose husband is not an invalid, thirty-seven dollars and fifty cents (\$37.50); injured workman having three children, whose husband is not an invalid, forty-five dollars (\$45.00); injured workman having four or more children, whose husband is not an invalid, fifty-two dollars and fifty cents (\$52.50); injured workman with wife or invalid husband and no child, forty-two dollars and fifty cents (\$42.50); injured workman with a wife or invalid husband and one child, or being a widow or widower and having one child, fifty-two dollars and fifty cents (\$52.50); injured workman with a wife or invalid husband and two children, or being a widow or widower and having two children, sixty dollars (\$60.00), and five dollars (\$5.00) for each additional child.

Temporary total disability for more than six months.

(3) If such temporary total disability shall endure longer than said six months' period, the schedule of compensation contained in paragraphs (1), (2) and (3) of the foregoing subdivision (b) shall at the end of said six months' period again obtain.

Recovery, wholly or partially.

(4) As soon as recovery is so complete that the present earning power of the workman, at any kind of work, is restored to that existing at the time of the occurrence of the injury the payments shall cease. If and so long as the present earning power is only partially restored, the payments shall continue in the proportion which the new earning power shall bear to the old. No compensation shall be payable out of the accident fund unless the loss of earning power shall exceed five per cent.

Reserve fund.

(e) There is hereby created in the office of the state treasurer a fund to be known and designated

as the reserve fund out of which shall be made the payments specified in this section for all cases of death or permanent total disability including future payments to be made for the cases of that character which have heretofore arisen. Into the reserve fund there shall be forthwith placed all unexpended funds, in cash or invested, heretofore set aside for cases requiring a reserve. For every case resulting in death or permanent total disability hereafter arising it shall be the duty of the department to make transfer on their books from the accident fund of the proper class to the reserve fund a sum of money for that case equal to the estimated present cash value of the monthly payments provided for it, to be calculated upon the basis of an annuity covering the payments in this section provided to be made for the case. Such annuities shall be based upon tables to be prepared for that purpose by the state insurance commissioner and by him furnished to the state treasurer, calculated upon standard mortality tables with an interest assumption of four (4) per cent per annum.

The department shall notify the state treasurer from time to time of such transfers as a whole and the state treasurer shall invest the reserve in either state capitol building bonds issued to take up capitol building warrants now outstanding, or in the class of securities provided by law for the investment of the permanent school fund, and the interest or other earnings of the reserve fund shall become a part of the reserve fund itself. The department shall, on October 1st of each year, apportion the interest or other earnings of the reserve fund as certified to it by the state treasurer, to the various class reserve funds according to the average class balance for the preceding year. As soon as possible after October 1st of each year, beginning in the year 1918, the state insurance commissioner shall expert the re-

Death or
total
disability.

Transfer
from
accident to
reserve
fund.

Annuities.

Reserve
invested.

Insurance
commission
to expert
reserve
fund.

serve fund of all classes to ascertain their standing as of October 1st, of that year, and the relation of all outstanding annuities at their then value to the cash on hand or at interest belonging to that fund. He shall promptly report the result of his examination to the department and to the state treasurer in writing not later than December 31st. If the report shows that there was on said October 1st, in the reserve fund of all classes in cash or at interest a greater sum than the annuity value of the outstanding pension obligations, the surplus shall be forthwith turned over to the accident fund of all classes, such return to be made on a proportionate basis according to the percentage of annuity deposits paid by each of said classes to said fund, but if the report show the contrary condition of said reserve, the deficiency shall be forthwith made good out of the accident funds of all of said classes proportioned on a basis according to the percentage of annuity deposits paid by each of said classes to said fund. The state treasurer shall keep accurate account of the reserve fund and the investment and earnings thereof, to the end that the total reserve funds shall at all times, as near as may be, be properly and fully invested, and to meet current demands for pension or lump sum payments may, if necessary, make temporary loans to the reserve fund out of the accident funds for that class, repaying same from the earnings of that reserve fund or from collections of its investments, or, if necessary, sales of the same.

Reserve fund surplus, deficiency.

State treasurer to keep reserve fund accounts.

Permanent partial disability defined.

(f) Permanent partial disability means the loss of either one foot, one leg, one hand, one arm, one eye, one or more fingers, one or more toes, any dislocation where ligaments were severed where repair is not complete, or any other injury known in surgery to be permanent partial disability. For the permanent partial disabilities here specifically de-

scribed, the injured workman shall receive compensation as follows:

SPECIFIC MAJOR PERMANENT PARTIAL DISABILITY INJURIES.

Loss of one leg amputated so near the hip that an artificial limb cannot be worn	\$2,400.00	Major permanent partial disability.
Loss of one leg at or above the knee so that an artificial limb can be worn	\$2,280.00	
Loss of one leg below the knee	\$1,560.00	
Loss of the major arm at or above the elbow	\$2,280.00	
Loss of the major hand at wrist	\$1,920.00	
Loss of one eye by enucleation	\$1,440.00	
Loss of sight of one eye	\$1,080.00	
Complete loss of hearing in both ears	\$2,280.00	
Complete loss of hearing in one ear	\$600.00	

SPECIFIC MINOR PERMANENT PARTIAL DISABILITY INJURIES.

Loss of one thigh at upper third	\$2,280.00	Minor permanent partial disability.
Loss of one thigh at lower third	\$2,280.00	
Loss of one leg at lower third	\$1,560.00	
Loss of foot at the ankle	\$1,560.00	
Loss of great toe with metatarsal bone thereof	\$480.00	
Loss of great toe at the proximal joint	\$300.00	
Loss of great toe at the second joint	\$105.00	
Loss of one other toe other than the great toe with metatarsal bone thereof	\$165.00	
Loss of second toe at proximal joint	\$75.00	
Loss of third toe at proximal joint	\$75.00	
Loss of fourth toe at proximal joint	\$75.00	
Loss of fifth toe at proximal joint	\$30.00	
Loss of metatarsal bone on toe other than great toe... ..	\$90.00	
Loss of fore-arm at upper third	\$2,100.00	
Loss of fore-arm at lower third	\$2,100.00	
Loss of thumb with metacarpal bone thereof	\$720.00	
Loss of thumb at proximal joint	\$480.00	
Loss of thumb at second joint	\$180.00	
Loss of index or first finger at proximal joint	\$390.00	
Loss of index or first finger at second joint	\$330.00	
Loss of index or first finger at distal joint	\$150.00	
Loss of middle or second finger at proximal joint	\$300.00	
Loss of middle or second finger at second joint	\$250.00	
Loss of middle or second finger at distal joint	\$90.00	
Loss of ring or third finger at proximal joint	\$270.00	
Loss of ring or third finger at second joint	\$210.00	
Loss of ring or third finger at distal joint	\$90.00	
Loss of little or fourth finger at proximal joint	\$105.00	

Loss of little or fourth finger at second joint	\$75.00
Loss of little or fourth finger at distal joint	\$30.00
Loss of metacarpal bone in finger except thumb	\$75.00
Broken arch in foot	\$600.00
Ankylosed ankle	\$480.00
Ankylosed knee	\$600.00

Provided, however, if any of the above mentioned specific minor permanent partial disability injuries shall not result in or involve amputation, not more than three-fourth ($\frac{3}{4}$) of the foregoing respective sums shall be paid. *Provided, further,* that payment for any injury to minor hand or arm or any part thereof, shall not exceed ninety-five (95) per centum of the amounts herein before enumerated.

Compensation for any other specific major permanent partial disability or specific minor permanent partial disability shall be in the proportion which the extent of such other disability shall bear to that major specific or minor specific permanent partial disability above specified, which most closely resembles and approximates in degree of disability such other disability, but not in any case to exceed the sum of two thousand four hundred dollars (\$2,400.00).

Other major or minor permanent partial disabilities.

Limit.

Parents of workman under 21 years of age.

If the injured workman be under the age of twenty-one years and unmarried, the parents or parent shall also receive a lump sum payment equal to ten per cent of the amount awarded the minor workman.

Further accident to workman.

(g) Should a further accident occur to a workman who has been previously the recipient of a lump sum payment under this act, his future compensation shall be adjudged according to the other provisions of this section and with regard to the combined effect of his injuries, and his past receipt of money under this act.

Should such further accident result in the permanent total disability of such injured workman, he shall receive the pension to which he would be en-

titled notwithstanding the payment of a lump sum for his prior injury.

(h) If aggravation, diminution, or termination of disability takes place or be discovered after the rate of compensation shall have been established or compensation terminated, in any case the department may, upon the application of the beneficiary or upon its own motion, readjust for further application the rate of compensation in accordance with the rules in this section provided for the same, or in a proper case terminate the payment.

Aggravation, diminution, termination of disability.

(i) A husband or wife of an injured workman, living in a state of abandonment for more than one year at the time of the injury or subsequently, shall not be a beneficiary under this act.

Husband or wife abandoned.

(j) If a beneficiary shall reside or remove out of the state the department may, in its discretion, convert any monthly payments provided for such case into a lump sum payment (not in any case to exceed the value of the annuity then remaining, to be fixed and certified by the state insurance commissioner, but in no case to exceed the sum of \$4,000.00).

Beneficiary nonresident.

(k) Any court review under this section shall be initiated in the county where the workman resides or resided at the time of the injury, or in which the injury occurred.

Court review, venue.

(l) No workman injured after June 30th, 1923, shall receive or be entitled to receive compensation out of the accident fund for or during the day on which injury was received or the three days following the same.

No payments for less than three days.

SEC. 3. That Section 7682 of Remington's Compiled Statutes of Washington be amended to read as follows:

Amends Rem. Comp. Stat. § 7682; Pierce's Code § 3476.

Section 7682. If any employer shall default in any payment to the accident fund or the medical aid fund, the sum due shall be collected by action at law

Default in payment into accident fund.

in the name of the state as plaintiff, and such right of action shall be in addition to any other right of action or remedy. If such default be after demand, there shall also be collected a penalty equal to twenty-five per centum of the amount of the defaulted payment or payments.

Penalty.

State claim
for payments
prior lien.

The claim of the state for payments and penalties due herein shall be a lien prior to all other liens, except taxes, upon the real estate, plant, works, equipment and buildings improved, operated, or constructed by any employer, and also upon any logs, spars, piles, ties, or other timber produced or articles manufactured by such employer which shall be owned by or in the possession of any person liable for such premiums. The lien hereby created shall attach from the date of the commencement of the labor upon such property for which such premiums are due. In order to avail itself of the lien hereby created, the department shall, within four months after such employer shall have made report of his payroll and shall have defaulted in the payment of his premiums thereupon, file with the county auditor of the county within which such property shall then be situated a statement in writing describing in general terms the property upon which a lien is claimed and stating the amount of the lien claimed by the department. If any employer shall fail, delay or refuse to make report of his payroll the lien hereby created shall continue in full force and effect although the amount thereof be undetermined and the four months time within which the department shall file its claim of lien shall not begin to run until the actual receipt by the department of such payroll report. From and after the filing of such claim of lien, the department shall be entitled to commence suit to cause such lien to be foreclosed in the manner provided by law for the foreclosure of other liens on real or personal property.

Lien
commences.

Lien filed.

Lien
continues.

Lien
foreclosed.

All actions for the recovery of such payments shall be brought in the superior court and in all cases of probate, insolvency, assignment for the benefit of creditors, or bankruptcy, the claim of the state for payments due herein shall be a lien prior to all other liens, except taxes, and it shall be the duty of all administrators, receivers or assignees for the benefit of creditors to notify the department of such administration, receivership or assignment within thirty (30) days from the date of their appointment and qualification. In any action or proceeding brought for the recovery of payments due upon the payroll of an employer, the certificate of the department that an audit has been made of the payroll of such employer pursuant to the direction of the department and of the amount of such payroll for the period stated in the certificate shall be *prima facie* evidence of such fact.

SEC. 4. That Section 7684 of Remington's Compiled Statutes of Washington be amended to read as follows:

Section 7684. No money paid or payable under this act out of the accident fund shall, prior to issuance and delivery of the warrant therefor, be capable of being assigned, charged, nor ever be taken in execution or attached or garnished, nor shall the same pass to any other person by operation of law. Any such assignment or charge will be void: *Provided*, That if any workman shall suffer a permanent partial injury, and shall die from some other cause than the accident which produced such injury before he shall have received payment of his award for such permanent partial injury, or if any workman shall suffer any other injury and shall die from some other cause than the accident which produced such injury before he shall have received payment of any monthly installment covering any period of time prior to his death, the amount of such permanent

Actions to
recover
payments.

Amends Rem.
Comp. Stat.
§ 7684;
Pierce's Code
§ 3478.

Payments
due from
fund
cannot be
assigned.

Death of
workman
from cause
other than
accident.

Payments
due paid
widow
and children.

partial award, or of such monthly payment or both, shall be paid to his widow, if he leave a widow, or to his child or children if he leave a child or children and shall not leave a widow: *Provided*, That if any workman shall suffer any injury and shall die therefrom before he shall have received payment of any monthly installment covering time loss for any period of time prior to his death, the amount of such monthly payment shall be paid to his widow, if he leave a widow, or to his child or children if he leave a child or children, and shall not leave a widow. *Provided, further*, That if the injured workman shall have resided in the United States as long as three years prior to the date of such injury such payment shall not be made to any widow or child who was at the time of such injury a non-resident of the United States.

Alien non-
resident
beneficiary.

Except as otherwise provided by treaty, whenever under the provisions of this act, compensation is payable to a beneficiary or dependent who is an alien not residing in the United States, the department shall pay fifty per centum of the compensation herein otherwise provided to such beneficiary or dependent. But if a non-resident alien, beneficiary or dependent is a citizen of a government having a compensation law which excludes citizens of the United States either resident or non-resident, from partaking of the benefit of such law in as favorable a degree as herein extended to non-resident aliens he shall receive no compensation.

Proof of
dependency
of non-
residents.

Proof of dependency by any beneficiary or dependent residing without the United States shall be made before the nearest United States consul or consular agent under the seal of such consul or consular agent, and the department may cause any warrant or warrants to which such beneficiary or dependent is entitled to be transmitted to the benefi-

ciary or dependent through the nearest United States consul or consular agent.

SEC. 5. That Section 7692 of Remington's Compiled Statutes of Washington be amended to read as follows:

Amends Rem. Comp. Stat. § 7692; Pierce's Code § 3485.

Section 7692. Whenever the state, county, any municipal corporation or other taxing district shall engage in any extra-hazardous work, or let a contract therefor, in which workmen are employed for wages, this act shall be applicable thereto. The employer's payments into the accident fund shall be made from the treasury of the state, county, municipality or other taxing district. If said work is being done by contract, the payroll of the contractor and the sub-contractor shall be the basis of computation, and in the case of contract work consuming less than one year in performance the required payment into the accident fund shall be based upon the total payroll. The contractor and any sub-contractor shall be subject to the provisions of the act, and the state for its general fund, the county, municipal corporation or other taxing district shall be entitled to collect from the contractor the full amount payable to the accident fund, and the contractor, in turn shall be entitled to collect from the sub-contractor his proportionate amount of the payment. Whenever and so long as, by state law, city charter or municipal ordinance, provision is made for municipal employees injured in the course of employment, such employees shall not be entitled to the benefits of this act and shall not be included in the payroll of the municipality under this act.

State, county, municipal corporations, etc.

Application of act.

Contract.

Contractor, sub-contractor.

The provisions of this act shall apply to all extra-hazardous work done by contract; the person, firm or corporation who lets a contract for such extra-hazardous work shall be responsible primarily and directly for all payments due to the accident fund and medical aid fund upon the work. The contractor

All extra-hazardous contract work under act.

Person letting contract responsible.

and any sub-contractor shall be subject to the provisions of this act, and the person, firm or corporation letting the contract shall be entitled to collect from the contractor the full amount payable to the accident fund and medical aid fund, and the contractor in turn shall be entitled to collect from the sub-contractor his proportionate amount of the payment.

It shall be unlawful for any city or town to issue a construction building permit to any person who has not submitted to the department of labor and industries an estimate of payroll and paid premium thereon as provided by Section 7676 of Remington's Compiled Statutes.

City or town,
building
permits.

See Rem.
Comp. Stat.
§ 7676;
Pierce's Code
§ 3471.

Amends Rem.
Comp. Stat.
§ 7696;
Pierce's Code
§ 3487.

SEC. 6. That Section 7696 of Remington's Compiled Statutes of Washington be amended to read as follows:

Section 7696. Any employer engaged in any occupation other than those enumerated or declared to be under this act as provided in Section 7674 of Remington's Compiled Statutes may make written application to the director of labor and industries to fix rates of contribution for such occupation for industrial insurance and for medical aid, and thereupon it shall be the duty of the director of labor and industries through the division of industrial insurance to fix such rate, which shall be based on the hazard of such occupation in relation to the hazards of the occupations for which rates are prescribed. When such rate shall be so fixed such applicant may file notice in writing with the supervisor of industrial insurance, giving ten days notice of his or its election to contribute under this act, and shall forthwith display in a conspicuous manner about his or its works and in a sufficient number of places to reasonably inform his or its workman of the fact, printed notices furnished by the department stating that he or it has elected to contribute to the accident fund

Employer
in other
occupations
may come
under act.

See Rem.
Comp. Stat.
§ 7674;
Pierce's Code
§ 3469.

Rate fixed.

and the medical aid fund and stating when said election will become effective. Any workman in the employ of such applicant shall be entitled at any time within five days after the posting of said notice by his employer, or within five days after he has been employed by an employer who has elected to become subject to this act as herein provided, to give a written notice to such employer and to the department of his election not to become subject to this act. At the expiration of the time fixed by the notice of such employer, the employer and such of his or its workmen as shall not have given such written notice of their election to the contrary shall be subject to all the provisions of Section 7673 to 7796 of Remington's Compiled Statutes, and entitled to all of the benefits thereof.

Workman
may elect
not to
come under
act.

See Rem.
Comp. Stat.
§ 7673 to
§ 7796;
Pierce's Code
§ 3468 to
§ 3515-73.

SEC. 7. That Section 7712 of Remington's Compiled Statutes of Washington be amended to read as follows:

Amends Rem.
Comp. Stat.
§ 7712;
Pierce's Code
§ 3501.

Section 7712. It is the intent to require the industries of the state to furnish medical, surgical and hospital care to their injured workmen and to place the expense thereof upon each industry as near as may be in the proportion in which it produces injury and creates expense.

Medical,
surgical and
hospital
care.

The rate which each industry shall pay into the medical aid fund shall be as provided in Section 7676 of Remington's Compiled Statutes, which rate may be increased or decreased, by the director of labor and industries through and by means of the division of industrial insurance, based upon the medical aid cost experience of such industry.

See Rem.
Comp. Stat.
§ 7676;
Pierce's Code
§ 3471.

Rate
increased or
decreased.

From any change made in such rates any employer or workman claiming to be aggrieved may upon application, have a hearing before the division of industrial insurance upon notice to the interested parties and in the manner provided in Section 7697

Change in
rates,
hearing upon.

See Rem.
Comp. Stat.
§ 7697;
Pierce's Code
§ 3488.

of Remington's Compiled Statutes, a review by the courts. The body of interested workmen may designate in writing in duplicate, one of them to be the recipient of service upon all of them, one copy to be posted for local convenience, and the other to be filed with the supervisor of industrial insurance. In default of any such designation, service upon any one workman other than the one instituting a complaint shall be service upon all.

Amends Rem.
Comp. Stat.
§ 7713;
Pierce's Code
§ 3502.

SEC. 8. That Section 7713 of Remington's Compiled Statutes of Washington be amended to read as follows:

Medical
aid fund
created.

Section 7713. A fund is hereby created in the state treasury to be known as the medical aid fund. Into it shall be paid by each employer on or before the 15th day of September, 1923, and on or before the 15th day of January, May and September of each year thereafter for each day's work or fraction thereof done for him in extra-hazardous employment in or during the preceding four calendar months the medical aid rate provided in Sections 7676 and 7712 of Remington's Compiled Statutes.

Payments
into.

See Rem.
Comp. Stat.
§ 7676 and
§ 7712;
Pierce's Code
§ 3471 and
§ 3501.

The employer shall deduct from the pay of each of his workmen engaged in extra-hazardous work one-half of the amount the employer is required by the foregoing provision of this section to pay into said fund for or on account of the employment of such workman.

Employer to
deduct one-
half from
employees.

Amends Rem.
Comp. Stat.
§ 7714;
Pierce's Code
§ 3503.

SEC. 9. That Section 7714 of Remington's Compiled Statutes of Washington be amended to read as follows:

See Rem.
Comp. Stat.
§ 7673 to
§ 7796;
Pierce's Code
§ 3468 to
§ 3515-73.

Section 7714. Upon the occurrence, after June 30, 1923, of any injury to a workman entitled to compensation under the provisions of said Sections 7673 to 7796 of Remington's Compiled Statutes, he shall receive in addition to such compensation, and out of the medical aid fund, proper and necessary medical

and surgical services, at the hands of a physician of his own choice if conveniently located, and proper and necessary hospital care and services during the period of his disability from such injury, but the same shall be limited in point of duration as follows:

Workman to receive medical and surgical treatment.

In the case of permanent partial disability not to extend beyond the date when compensation shall be awarded him out of the accident fund, except when the workman returned to work before permanent partial disability award is made, in such case not to extend beyond the time when monthly allowances to him out of the accident fund shall cease, in case of temporary disability not to extend beyond the time when the monthly allowances to him out of the accident fund shall cease, in case of a permanent total disability not to extend beyond the date on which a lump sum settlement is made with him or he is placed upon the permanent pension roll. But after any injured workman shall have returned to his work his medical and surgical treatment may be continued at the expense of the medical aid fund if, and as long as, such continuation is deemed by the supervisor of industrial insurance to be necessary to his more complete recovery. In order to authorize such continued treatment in any case the written order of the supervisor of industrial insurance issued in advance of the continuation shall be necessary. The director of labor and industries shall have power to enact rules prescribing whether and under what conditions an injured workman who has been receiving treatment under medical aid contract at a place other than his place of permanent abode and who shall be or have become ambulatory or who being discharged shall require further treatment may be transferred to the care of a surgeon at his place of residence, and providing for the compensation of such surgeon at the expense of the doctor, hospital or hospital association holding such contract.

First aid kit.

Every employer, who employs less than fifty workmen, shall keep at his plant a first aid kit equipped as required by the department with materials for first aid to his injured workmen. Every employer, who employs within a radius of one-half mile of any plant or establishment fifty or more workmen, shall keep one first aid station equipped as required by the department with materials for first aid to his injured workmen, and shall cooperate with the department in training one or more employees in first aid to the injured. The maintenance of such first aid kits and stations shall be deemed to be a part of any educational standards established under the provisions of Sections 7734 and 7736 of Remington's Compiled Statutes. When the injury to any workman is so serious as to require his being taken from the place of injury to a place of treatment, his employer shall, at his own expense and without charge against the medical aid fund, furnish transportation to the nearest place of proper treatment. Every workman whose injury shall result in the loss of one or more limbs or eyes, shall be once provided with proper artificial substitutes to be purchased by the department at the expense of the accident fund. Every workman, who shall suffer a penetrating wound of the cornea producing an error of refraction, shall be once provided at the expense of the accident fund, proper and properly equipped lenses to correct such error of refraction, and his disability rating shall be based upon the corrected result. Every workman, whose accident shall result in damage to or destruction of an artificial limb, eye or tooth, shall have same repaired or replaced at the expense of the accident fund. All mechanical appliances necessary in the treatment of an injured workman, such as braces, belts, casts and crutches may be provided at the expense of the medical aid fund and all mechanical appliances required as permanent

See Rem.
Comp. Stat.
§ 7734 and
§ 7736;
Pierce's Code
§ 3515-8 and
§ 3515-10.

Transporta-
tion for
injured
workman.

Injury to
eye, tooth
or artificial
limb.

Mechanical
appliances
supplied.

equipment after treatment has been completed shall be once provided at the expense of the accident fund. A workman, whose injury is of such short duration as to bring him within the provisions of subdivision (1) of section 7679 of Remington's Compiled Statutes, shall nevertheless receive during the omitted period medical, surgical and hospital care and service and transportation under the provisions of this section.

See Rem.
Comp. Stat.
§ 7679;
Pierce's Code
§ 3472.

SEC. 10. That section 7719 of Remington's Compiled Statutes of Washington be amended to read as follows:

Amends Rem.
Comp. Stat.
§ 7719;
Pierce's Code
§ 3508.

Section 7719. It shall be the duty of the director of labor and industries, through and by means of the division of industrial insurance to provide care and treatment for each workman injured after June 30, 1923, in extra-hazardous employment, to make a record of the commencement of every disability, and the termination of the same and subject to the provisions of section 7716 of Remington's Compiled Statutes to certify all bills rendered for care or treatment of injured workmen, with power to reject any bill or item thereof incurred in violation of the principles laid down in section 7715 of Remington's Compiled Statutes, or the rules and regulations promulgated thereunder.

Care and
treatment for
injured
workman.

Record.

See Rem.
Comp. Stat.
§ 7716;
Pierce's Code
§ 3505.

See Rem.
Comp. Stat.
§ 7715;
Pierce's Code
§ 3504.

SEC. 11. That Section 7725 of Remington's Compiled Statutes of Washington be amended to read as follows:

Amends Rem.
Comp. Stat.
§ 7725;
Pierce's Code
§ 3514.

Section 7725. The provisions of Sections 7673 to 7711, inclusive, of Remington's Compiled Statutes, shall be applicable to the collection of the medical aid fund, and to the medical, surgical and hospital care of injured workmen only so far as they are not inconsistent with the provisions of sections 7712 to 7796, inclusive. Disbursements for medical aid administrative expense and disbursements for

See Rem.
Comp. Stat.
§ 7673 to
§ 7711;
Pierce's Code
§ 3468 to
§ 3500.

See Rem.
Comp. Stat.
§ 7712 to
§ 7796;
Pierce's Code
§ 3501 to
§ 3515-73.

Payments from medical aid fund, how made.

special medical examinations relating to medical treatment or disability rating and disbursements in payment of bills incurred for the medical, surgical or hospital care of injured workmen shall be made by warrants drawn against the medical aid fund by the state auditor upon certificate thereof or requisition therefor by the department.

Amends Rem. Comp. Stat. § 7751; Pierce's Code § 3515-25.

SEC. 12. That section 7751 of Remington's Compiled Statutes of Washington be amended to read as follows:

Hearing on classification.

Section 7751. Written notice of every such hearing shall be mailed to each employer whose class, class subdivision or establishment is affected; *Provided*, That the publication of such notice in any bulletin mailed by the department to each such employer shall be sufficient notice under this act. It shall be the duty of each employer receiving such a notice to forthwith post the same at his establishment for the information of his workmen.

Amends Rem. Comp. Stat. § 7774; Pierce's Code § 3515-48.

SEC. 13. That section 7774 of Remington's Compiled Statutes of Washington be amended to read as follows:

Safe place, safety device, educational standards.

Section 7774. It shall be the duty of the director of labor and industries, through and by means of the division of safety to enforce the safe place, safety device and educational standards and orders, to inspect the establishment or work of every employer engaged in extra-hazardous work (other than coal mines) as often as it is deemed necessary, but not less than once every year, for the purpose of ascertaining whether the safe place, safety device and educational standards applicable thereto are being complied with and to investigate and analyze all serious accidents to workmen in order to provide a remedy to prevent a repetition of the same, not only in the establishment in which the accident occurred, but also in all other like establishments.

SEC. 14. That section 7775 of Remington's Compiled Statutes of Washington be amended to read as follows:

Amends Rem.
Comp. Stat.
§ 7775;
Pierce's Code
§ 3515-48a.

Section 7775. Any employer who in any establishment carried on by him has refused or failed to comply with any of the existing educational, safe place or safety device standards applicable to any such establishment for a period of thirty days after having had written notice from the division of safety shall be penalized in a sum not to exceed one thousand dollars (\$1,000.00), to be collected in a civil action in the name of the state and paid into the accident fund.

Failure to
comply with
safety
standards,
penalty.

SEC. 15. That section 7781 of Remington's Compiled Statutes of Washington be amended to read as follows:

Amends Rem.
Comp. Stat.
§ 7781;
Pierce's Code
§ 3515-58.

Section 7781. Each employer who shall be certified by the Supervisor of Safety to have complied during the calendar year preceding the current year with all of the educational, safe place and safety device standards and orders applicable to his establishment or case, and who shall have cost the accident fund of any class or class subdivision to which he has contributed for such calendar year preceding the current year and for the year prior thereto between seventy-six per cent and ninety per cent of his premiums paid into such class or class subdivision of the accident fund for said aggregate two-year period, exclusive of all credits and penalties, shall be entitled to receive and shall receive a credit of ten per cent of his premium paid to the accident fund in such class or class subdivision for such calendar year preceding the current year. Each employer who shall be certified by the Supervisor of Safety to have complied during the calendar year preceding the current year with all of the educational, safe place and safety device standards and orders applicable to his establishment or case, and who shall have cost the accident

Supervisor of
safety
certificate.

Compliance
with safety
standards,
credits.

fund of any class or class subdivision to which he has contributed for such calendar year preceding the current year and for the year prior thereto between fifty per cent and seventy-six per cent of his premiums paid into such class or class subdivision of the Accident Fund for said aggregate two-year period, exclusive of all credits and penalties, shall be entitled to receive and shall receive a credit of fifteen per cent of his premium paid to the accident fund in such class or class subdivision for such calendar year preceding the current year. In computing the cost to the accident fund of any employer to determine the credit or penalty to be awarded or charged such employer under sections 7781 to 7784, inclusive, of Remington's Compiled Statutes, the fixed sum of Four Thousand Dollars (\$4,000.00) shall be charged against the experience of such employer for each injury resulting in the death or total permanent disability of a workman, instead of the actual cost to the accident fund of such injury.

See Rem.
Comp. Stat.
§ 7781 to
§ 7784;
Pierce's Code
§ 3515-58 to
§ 3515-61.

Amends Rem.
Comp. Stat.
§ 7782;
Pierce's Code
§ 3515-59.

SEC. 16. That Section 7782 of Remington's Compiled Statutes of Washington be amended to read as follows:

Supervisor
of safety,
certificate.

Section 7782. Each employer who shall be certified by the supervisor of safety to have complied during the calendar year preceding the current year with all of the educational, safe place and safety device standards and orders applicable to his establishment or case and who shall have cost the accident fund of any class or class subdivision to which he is a contributor for such calendar year preceding the current year and for the year prior thereto between twenty-five per cent and fifty per cent of his total premiums paid into such class or class subdivision of the accident fund for said aggregate two-year period, exclusive of all credits and penalties, shall be entitled to receive and shall receive a credit of twenty per cent of his premiums to the accident fund in

Compliance
with safety
standards,
credits.

such class or class subdivision for such calendar year preceding the current year. Each employer who shall be so certified by the supervisor of safety and who shall have cost the accident fund of any class or class subdivision to which he is a contributor for such calendar year preceding the current year and for the year prior thereto twenty-five per cent, or less, of his total premiums paid into such class or class subdivision of the accident fund for said aggregate two-year period, exclusive of all credits and penalties, shall be entitled to receive and shall receive a credit of thirty per cent of his premiums to the accident fund in such class or class subdivision for such calendar year preceding the current year.

SEC. 17. That Section 7783 of Remington's Compiled Statutes of Washington be amended to read as follows:

Amends Rem.
Comp. Stat.
§ 7783;
Pierce's Code
§ 3515-60.

Section 7783. Each employer who shall be certified by the supervisor of safety for any calendar year to have failed to comply during the calendar year preceding the current year with any safety standard or order applicable to his establishment or case and who shall have cost the accident fund of any class or class subdivision to which he is a contributor for such calendar year preceding the current year and for the year prior thereto more than one hundred per cent but not more than one hundred and twenty-five per cent of his premiums to the accident fund for said aggregate two-year period in such class or class subdivision shall pay into the accident fund upon demand of the supervisor of industrial insurance in addition to the amount which he would otherwise have paid for such calendar year into the accident fund on account of the plant, works or system in respect to which such excess cost shall have occurred a sum equal to five per cent of his premium to the accident fund for that year in such class or class subdivision.

Supervisor of
safety,
certificate.

Failure to
comply with
safety
standards,
penalty.

Amends Rem.
Comp. Stat.
§ 7784;
Pierce's Code
§ 3515-61.

SEC. 18. That Section 7784 of Remington's Compiled Statutes of Washington be amended to read as follows:

Supervisor
of safety,
certificate.

Failure to
comply with
safety
standards,
penalty.

Section 7784. Each employer who shall be certified by the supervisor of safety for any calendar year to have failed to comply during the calendar year preceding the current year with any safety standard or order applicable to his establishment or case and who shall have cost for that year and for the preceding year the accident fund of any class or class subdivision to which he is a contributor for such calendar year preceding the current year more than one hundred and twenty-five per cent of his total premiums to the accident fund for said aggregate two-year period in such class or class subdivision shall pay into the accident fund upon demand of the supervisor of industrial insurance in addition to the amount which he would otherwise have paid for such calendar year into the accident fund on account of the plant, works or system in respect to which such excess cost shall have occurred a sum equal to ten per cent of his premium to the accident fund for that year in such class or class subdivision.

Amends Rem.
Comp. Stat.
§ 7786;
Pierce's Code
§ 3515-63.

SEC. 19. That Section 7786 of Remington's Compiled Statutes of Washington be amended to read as follows:

See Rem.
Comp. Stat.
§ 7781 and
§ 7782;
Pierce's Code
§ 3515-58 and
§ 3515-59.

Section 7786. Any credit provided for in Sections 7781 and 7782 of Remington's Compiled Statutes shall be applied to the accident fund account of the employer entitled thereto. In case of permanent cessation of work any of such credits remaining after all sums due the accident fund and medical aid fund have been paid shall revert to the accident fund.

Credit for
safety
standards
applied to
accident fund.

Application
to existing
claims
and cases.

SEC. 20. For all cases of injuries to workmen which occurred and for all claims or actions pending or causes of action existing before this act shall go

into effect, Sections 7673 to 7796 of Remington's Compiled Statutes of Washington shall continue in force as they were prior to and they shall be unaffected by the passage of this amendatory act.

See Rem.
Comp. Stat.
§ 7673 to
§ 7796;
Pierce's Code
§ 3468 to
§ 3515-73.

SEC. 21. Adjudication of invalidity of any of the sections of this act, or any part of any section shall not impair or otherwise affect the validity of any other of said sections or part thereof.

If any part
unconstitu-
tional.

SEC. 22. Sections 7677, 7678, 7691, 7721, 7722, 7750, 7753, 7776, 7777, 7778, 7779, 7785 and 7787 of Remington's Compiled Statutes of Washington, and all acts and parts of acts in conflict with the provisions hereof, are hereby repealed, but nothing herein contained shall operate to repeal any part of the Coal Mining Code or any of the following sections of Remington's Compiled Statutes of Washington, or any part thereof: 7642 to 7660, inclusive, 9843 to 9870, inclusive, and 10339 to 10459, inclusive.

Repeals Rem.
Comp. Stat.
§§ 7677, 7678,
7691, 7721,
7722, 7750,
7753, 7776,
7777, 7778,
7779, 7785
and 7787;
Pierce's Code
§§ 3471-1,
3471-2, 3484,
3510, 3511,
3515-24,
3515-27,
3515-50,
3515-54,
3515-55,
3515-56,
3515-62 and
3515-64.

SEC. 23. This act shall take effect on the 1st day of July, 1923, with the exception of sections 7676, 7712, and 7713, which take effect on the 1st day of September, 1923.

See Rem.
Comp. Stat.
§ 7642 to
§ 7660;
§ 9843 to
§ 9870 and
§ 10339 to
§ 10459;
Pierce's Code
§ 3459 to
§§ 3465, 3456,
3466, 3467,
3517-3519,
2880-2907,
5528-5637-3.

Passed the House March 1, 1923.

Passed the Senate March 6, 1923.

Approved by the Governor March 16, 1923.

See Rem.
Comp. Stat.
§ 7676, 7712
and 7713;
Pierce's Code
§ 3471, 3501
and 3502.