

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

February 17, 2022

Date

Committee on Business Affairs & Labor.

After consideration on the merits, the Committee recommends the following:

HB22-1112 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, line 4, strike "**employees.**" and substitute
- 2 "**employees - failure to report.**".

- 3 Page 2, line 7, strike "FOURTEEN" and substitute "TEN".

- 4 Page 3, line 3, strike "~~Otherwise, if said~~".

- 5 Page 3, strike lines 4 through 11 and substitute "Otherwise, if ~~said~~ THE
- 6 employee fails to report ~~said~~ THE injury in writing, ~~said~~ THE employee
- 7 may lose up to one day's compensation for each day's failure to ~~so~~ report.
- 8 ~~If at the time of said injury, the employer has failed to display the notice~~
- 9 ~~specified in paragraph (b) of this subsection (1), the time period allotted~~
- 10 ~~to the employee shall be tolled for the duration of such failure~~ FAILS TO
- 11 PROVIDE A COPY OF THE EMPLOYEE'S WRITTEN NOTICE PURSUANT TO
- 12 SUBSECTION (1)(a)(II) OF THIS SECTION, OR IF, AT THE TIME OF THE INJURY,
- 13 THE EMPLOYER FAILED TO DISPLAY THE NOTICE SPECIFIED IN SUBSECTION
- 14 (1)(b) OF THIS SECTION, THE TIME PERIOD ALLOTTED TO THE EMPLOYEE IS
- 15 TOLLED FOR THE DURATION OF TIME THAT THE EMPLOYER FAILS TO
- 16 PROVIDE THE WRITTEN NOTICE AND DISPLAY THE NOTICE. IF THE
- 17 EMPLOYER HAS ACTUAL NOTICE OF THE INJURY OR GOOD CAUSE IS SHOWN
- 18 FOR THE FAILURE OF THE EMPLOYEE TO REPORT THE INJURY IN WRITING,
- 19 THERE IS NO LOSS OF COMPENSATION PURSUANT TO THIS SUBSECTION (1)
- 20 FOR THE FAILURE TO REPORT THE INJURY."

- 21 Page 3, line 16, strike "TWO WORKING" and substitute "SEVEN".

- 22 Page 4, line 20, after "JOB," insert "**NOTIFY YOUR EMPLOYER AS SOON AS**
- 23 **YOU ARE ABLE, AND**".

- 1 Page 4, line 21, strike "14" and substitute "10".
- 2 Page 5, strike lines 4 through 11 and substitute "THE CUSTOMER SERVICE
3 CONTACT INFORMATION FOR THE DIVISION OF WORKERS'
4 COMPENSATION IS _____."
- 5 Page 5, line 17, strike "FOURTEEN" and substitute "TEN".
- 6 Page 5, strike lines 23 through 25 and substitute "written notice to the
7 employer. If ~~said~~ THE employee fails to report ~~said~~ THE injury in writing,
8 ~~such~~ THE employee may lose up to one day's compensation for each day's
9 failure to ~~so~~ report. Any other person who has notice of ~~said~~ THE".
- 10 Page 6, strike lines 4 through 6 and substitute "~~working days following~~
11 ~~receipt of such notice~~ IF THE EMPLOYER FAILS TO PROVIDE A COPY OF THE
12 EMPLOYEE'S WRITTEN NOTICE PURSUANT TO SUBSECTION (2)(a)(II) OF THIS
13 SECTION, OR IF, AT THE TIME OF THE INJURY, THE EMPLOYER FAILED TO
14 DISPLAY THE NOTICE SPECIFIED IN SUBSECTION (2)(b) OF THIS SECTION,
15 THE TIME PERIOD ALLOTTED TO THE EMPLOYEE IS TOLLED FOR THE
16 DURATION OF TIME THAT THE EMPLOYER FAILS TO PROVIDE THE WRITTEN
17 NOTICE AND DISPLAY THE NOTICE. IF THE EMPLOYER HAS ACTUAL NOTICE
18 OF THE INJURY OR GOOD CAUSE IS SHOWN FOR THE FAILURE OF THE
19 EMPLOYEE TO REPORT THE INJURY IN WRITING, THERE IS NO LOSS OF
20 COMPENSATION PURSUANT TO THIS SUBSECTION (2) FOR THE FAILURE TO
21 REPORT THE INJURY."
- 22 Page 6, line 11, strike "TWO WORKING" and substitute "SEVEN".
- 23 Page 7, line 18, after "JOB," insert "NOTIFY YOUR EMPLOYER AS SOON AS
24 YOU ARE ABLE, AND".
- 25 Page 7, line 19, strike "14" and substitute "10".
- 26 Page 8, strike lines 2 through 9 and substitute "THE CUSTOMER SERVICE
27 CONTACT INFORMATION FOR THE DIVISION OF WORKERS'
28 COMPENSATION IS _____."
- 29 Page 8, lines 14 and 15, strike "~~within thirty days~~" and substitute "within
30 thirty days".
- 31 Page 9, strike lines 3 through 5 and substitute "~~circumstances~~ IF THE
32 EMPLOYER DOES NOT HAVE ACTUAL KNOWLEDGE OF THE CONTRACTION OF

1 THE DISEASE, OR IF THERE IS NOT GOOD CAUSE FOR THE EMPLOYEE'S
2 FAILURE TO PROVIDE WRITTEN NOTICE WITHIN THE TIME ALLOTTED BY
3 THIS SUBSECTION (3), THE DIRECTOR MAY REDUCE THE COMPENSATION
4 THAT WOULD OTHERWISE HAVE BEEN PAYABLE IN THE MANNER AND TO
5 THE EXTENT AS THE DIRECTOR DEEMS JUST, REASONABLE, AND PROPER
6 UNDER THE EXISTING CIRCUMSTANCES, NEVER TO EXCEED ONE DAY'S
7 COMPENSATION FOR EACH DAY'S FAILURE TO REPORT."

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