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FOR IMMEDIATE RELEASE
July 9, 2019

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BIAW Files Suit to Stop Raid of Workers' Compensation Fund

Use of funds unrelated to compensating injured workers is unlawful

Olympia, WA The Building Industry Association of Washington (BIAW) filed suit against the Washington State Department of Labor & Industries and the Washington State Treasurer today to stop the use of workers' compensation funds for purposes unrelated to compensating injured workers.

"This session, the Legislature passed [SB 5116](#), which was part of Gov. Inslee's package of environmental bills," stated Jackson Maynard, General Counsel for BIAW. "This is not a dispute over the policy in the bill. However, taking \$625,000 from the Workers' Compensation Fund (Medical Aid & Accident) for the bill's implementation is not allowed under the State Constitution."

The Workers' Compensation Fund was established in Article II, Section 31 of the Washington State Constitution, which requires the Legislature to pass bills to protect workers. The State Supreme Court refers to the Workers' Compensation Fund as a "trust."

"We are seeking a court order to stop the Department of Labor & Industries and the Treasurer from spending these funds," continued Maynard. "The Legislature has a fiduciary duty to protect injured workers in our state and the diversion of these funds for any other purpose is unlawful and unacceptable."

A copy of BIAW's filing can be found here: <https://bit.ly/2YJqJ7f>

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The Building Industry Association of Washington is the voice of the housing industry as the state's largest trade association with nearly 8,000 member companies employing approximately 265,000 people. The association is dedicated to ensuring and enhancing the vitality of the building industry for the benefit of its members and the housing needs of the citizens.