



OPPOSE ESSB 6035 “RETRO REFORM”

- **The bill is unconstitutional.** Because of the voluntary nature of retro participation, legal scholars concur that SB 6035 infringes on both free speech and private contractual rights. Media outlets across the state also agree: *“When the state tells a voluntary, private association what it can do with its own money, it treads on the right of free speech.”* (Seattle Times), and *“[It’s] Political retribution.”* (Tacoma News Tribune)
- **The bill is anti-business.** Approximately 15,000 businesses, which comprise nearly half of the state fund workers’ comp premiums, are enrolled in retro programs. This bill will simply add costs and administrative burdens for both employers and sponsoring organizations, thereby making it more difficult to participate, or sponsor, programs. This bill is designed to make it harder for small employers to enroll in retro programs, and harder for an organization to offer the programs.
- **The bill is anti-safety.** The confusing and costly administrative reporting processes and requirements for public disclosure take away scarce resources from worker safety and education programs.
- **The bill is not a “simple” disclosure bill.** The proponents claim this is merely a “sunshine bill”, however, the limitations on the use of refunds imposed in the bill take away the choices voluntarily made by retro participants with their sponsoring entities. Newspapers agree. The Longview Daily News opined last month that “Senate Bill 6035 is simply the latest attempt to muzzle the BIAW.”
- **The bill will take away scarce resources for safety by fostering litigation.** The ambiguous definitions and processes in the bill, combined with the requirements to open private administrative and financial information to the public, will lead to unnecessary litigation and conflict.