

426 New Sections in Idaho Occupational Diseases Statutes.

Non-Disabling Silicosis -- Waiver

43-2121 -- Where an employee, though not actually disabled, is found to be affected by silicosis, he may, subject to the approval of the board, be permitted to waive in writing full compensation for any aggravation of his condition that may result from his continuing in his hazardous occupation. In the event of total disablement or death as a result of the disease with which the employee was so affected, after such a waiver, compensation shall nevertheless be payable as herein elsewhere provided, but in no case, whether for disability or death or both, to exceed \$2000.00 in the aggregate. A waiver so permitted shall remain effective, for the trade, occupation, process, or employment for which executed, notwithstanding a change or change of employer: Provided, that such waiver shall not inure to the benefit of any employer who fails to comply with the provisions of Section 42-2113. The industrial accident board shall make reasonable rules and regulations relative to the form, execution, filing, or registration, and public inspection of waivers or records thereof.

43-2121a -- A workman, seeking employment and having knowledge or being informed that he is affected with a non-disabling silicosis, who nevertheless voluntarily prefers to work in an occupation where his disease may become aggravated, may, with the approval of the board, enter into a contract with his prospective employer, waiving compensation under Section 43-2122, upon the possible subsequent termination of his employment from any of the causes set forth in Section 43-2 or from any other causes. (Added by Chap. 160, Laws 1941, Sec. 1, Effective March 13, 1941.)

Entering Agreement Voluntarily

43-2121b -- Before approving a waiver under Section 43-2121 or Section 43-2121a the board shall be satisfied that the workman has voluntarily entered into said agreement to waive compensation; that it is of greater advantage to the workman and his dependents, if any, for him to work in an occupation where his disease may become aggravated than to seek other employment, and that the working conditions maintained by the employer are such as to minimize the hazards of silicosis. (Added by Chap. 160, Laws 1941, Sec. 1, effective March 13, 1941.)

Non-Disabling Silicosis -- Compensation upon Severance from Employment

43-2122 -- (1) When an employee working subject to this chapter, who has not previously executed any of the waivers referred to in Sections 43-2121, 43-2121a, and 43-2121b, and who would be entitled to compensation under this law, if disabled, is, because he has a non-disabling silicosis, discharged from employment in which he is engaged, or when such an employee, after an examination as provided in Subsection (2) and a finding by the medical panel that it is inadvisable for him to continue in his employment, terminates his employment, the industrial accident board may allow such compensation on account of such discharge or termination of employment as it may deem just as support money pending his change of employment, payable as in this law elsewhere provided, but in no case to exceed \$750.00. (As amended by Chap. 160, Laws 1941, Sec. 2, effective March 13, 1941.) (CCH).

427 New Occupational Disease Statute for Washington.

Chapter 235, Laws 1941, effective June 11, 1941

Section 1. Within the contemplation of this Act "occupational disease" means such disease or infection as arises naturally and proximately out of extra-hazardous employment. Each workman who shall suffer disability from an occupational disease in the course of an extra-hazardous employment, or his family and dependents in case of death of the workman from such disease, shall

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