

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

Senate Bill 522

(Senator Exum, *et al.*)

Finance

Economic Matters

Workers' Compensation - Construction Carve Out - Sunset Repeal

This bill repeals the termination of provisions that authorize an employer and a recognized bargaining representative of employees under the purview of the Building and Construction Trade Council to adopt an alternative dispute resolution (ADR) system for workers' compensation claims as part of a collective bargaining agreement.

Fiscal Summary

State Effect: Repealing the sunset provision would not directly affect governmental finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Chapter 591 of 1997 established an ADR system that can modify, supplement, or replace all or part of the Workers' Compensation Commission's standard dispute resolution processes and may include mediation or binding arbitration. The ADR system, however, cannot exempt an employee or an employer from a duty under the State's workers' compensation laws and may not otherwise waive or limit the rights or benefits of an employee or employer under those laws.

The provisions, referred to as the "construction carve-out" are scheduled to sunset and have no further effect on September 30, 2002.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Uninsured Employers' Fund, Workers' Compensation Commission, Injured Workers' Insurance Fund, Subsequent Injury Fund, Department of Legislative Services

Fiscal Note History: First Reader - March 5, 2002
lc/jr

Analysis by: Mitchell J. McCalmon

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510