

HOUSE No. 818

By Mr. Conley of Lawrence, petition of the Massachusetts State CIO Industrial Union Council that the waiting period for benefits under the Workmen's Compensation Act be reduced to three days and to prevent arbitrary termination of such benefits. Labor and Industries.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-One.

AN ACT TO REDUCE THE WAITING PERIOD TO THREE DAYS
AND TO PREVENT ARBITRARY TERMINATION OF BENEFITS
UNDER THE WORKMEN'S COMPENSATION ACT.

*Be it enacted by the Senate and House of Representatives
in General Court assembled, and by the authority of the
same, as follows:*

1 Chapter 152 of the General Laws is hereby amended
2 by striking out section 29 as amended, and inserting
3 in place thereof the following section: —
4 *Section 29.* No compensation shall be paid for any
5 injury which does not incapacitate the employee from
6 earning full wages for a period of at least three days.
7 If incapacity extends for a period of three days or
8 more, compensation shall be paid from the day of
9 injury. When compensation shall have begun it shall
10 not be discontinued except with the written assent of
11 the employee or by a decision of the single member or
12 of the reviewing board following a notice and a hear-
13 ing. If the employee in fact earns any wages after

14 the original agreement or decision is filed, compensa-
15 tion shall be paid under section thirty-five; provided,
16 however, that if the employee in fact is earning his full
17 average weekly wages, such compensation shall be
18 suspended, but only for the period in which he is
19 actually earning his full wages.

20 No compensation paid to an employee under this
21 chapter shall be ordered repaid, except for any period
22 during which the employee in fact has earned his full
23 average weekly wages. If he has in fact earned only
24 part of his former wages, and has overdrawn his weekly
25 compensation, he may be ordered to return the excess
26 only.