

HOUSE No. 292

By Mr. Vaughan of Belmont, petition of John W. Vaughan for legislation to increase the benefits payable under the workmen's compensation law in the case of certain specified injuries. Labor and Industries.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Eight.

AN ACT INCREASING THE BENEFITS PAYABLE UNDER THE WORKMEN'S COMPENSATION LAW IN THE CASE OF CERTAIN SPECIFIED INJURIES.

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 36, as amended, and inserting
3 in place thereof the following sections: —

4 *Section 36A.* In case of the following specified in-
5 juries the sum of twenty dollars a week shall be paid,
6 in addition to all other compensation, for the follow-
7 ing periods: —

8 (a) For the loss by enucleation or otherwise, or the
9 total loss of use of both eyes, a period of five hundred
10 weeks.

11 (b) For the reduction to twenty seventieths of
12 normal vision in both eyes, with glasses, a period of
13 five hundred weeks.

14 (c) For the reduction to twenty seventieths of

15 normal vision in one eye, with glasses, a period of
16 two hundred weeks.

17 (d) For the loss by enucleation or otherwise or the
18 total loss of use of one eye, a period of two hundred
19 weeks.

20 (e) For any permanent but partial reduction in
21 either the acuity or field of vision of either eye, such
22 period of weeks in proportion to the period applicable
23 in the event of total loss, total loss of use, or the re-
24 duction to twenty seventieths of normal vision of one
25 or both eyes as the partial reduction bears to such
26 total loss, total loss of use or reduction to twenty
27 seventieths of normal vision.

28 (f) For the loss of hearing of both ears, two hun-
29 dred weeks.

30 (g) For the loss of hearing of one ear, one hundred
31 weeks.

32 (h) For bodily disfigurement the number of weeks
33 which according to the determination of the indus-
34 trial accident board is a proper and equitable com-
35 pensation, not to exceed one hundred and twenty-five
36 weeks, which sum shall be payable in addition to all
37 other sums under this section wherever the same shall
38 be applicable.

39 (i) For loss of bodily functions or sense other than
40 hearing and sight the number of weeks which accord-
41 ing to the determination of said board is a proper and
42 equitable compensation, not to exceed one hundred
43 and twenty-five weeks.

44 (j) For loss by severance of the right or major arm
45 at the shoulder, a period of one hundred and seventy-
46 five weeks.

47 (k) For loss by severance of the left or minor arm
48 at the shoulder, a period of one hundred and fifty
49 weeks.

50 (l) For loss by severance of the right or major hand
51 at the wrist, a period of one hundred and twenty-five
52 weeks.

53 (m) For loss by severance of the left or minor hand
54 at the wrist, a period of one hundred weeks.

55 (n) For loss by severance of either leg at the hip, a
56 period of one hundred and seventy-five weeks.

57 (o) For loss by severance of either foot at any point
58 above the ankle joint, a period of one hundred and
59 twenty-five weeks.

60 (p) For such periods in the case of an arm or a leg,
61 that if either is amputated at or above the elbow or
62 the knee it or they shall be treated as though at the
63 shoulder or the hip; but if amputated below the elbow
64 or the knee it or they shall be treated as though at
65 the ankle or the wrist.

66 (q) If the member, whether leg, foot, arm or hand,
67 is not lost by severance, but is so injured as to be per-
68 manently incapable of use, for the same number of
69 weeks as though it were severed.

70 (r) If the fingers, toes or other parts of the hand or
71 foot have been severed or permanently rendered in-
72 capable of use, such period of weeks in proportion to
73 the period applicable in the event of total loss or total
74 loss of use of said hand or foot as the functional loss
75 arising out of said severed or inutile part of said hand
76 or foot bears to the total loss or loss of use of the same.

77 *Section 36B.* In the event that an injured em-
78 ployee who has become entitled to compensation under
79 section thirty-six A of this chapter dies before fully
80 collecting the said compensation, the balance remain-
81 ing shall become due and payable in a lump sum to
82 his legal representative or his dependents in accord-
83 ance with section thirty-nine of this chapter.

