

HOUSE No. 659

By Mr. Umana of Boston, petition of Local 201, Industrial Union of Electrical Workers, C.I.O., for equitable methods of setting average wages for partial disability compensation under the workmen's compensation law. Labor and Industries.

The Commonwealth of Massachusetts

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

AN ACT TO PROVIDE AN EQUITABLE METHOD OF SETTING THE AVERAGE WAGE FOR CLAIMANT'S RECEIVING PARTIAL DISABILITY COMPENSATION.

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, as most recently
2 amended, is hereby further amended by striking out
3 section 35 and inserting the following section in the
4 place thereof:—
5 *Section 35.* While the incapacity for work resulting
6 from the injury is partial, the insurer shall pay the
7 injured employee a weekly compensation equal to the
8 entire difference between his average weekly wage be-
9 fore the injury, plus all subsequent wage adjustments,
10 and the average weekly wage he is able to earn im-
11 mediately thereafter, or if his earnings at some later
12 time decrease as a result of such injury, then the in-
13 surer shall pay the injured employee a weekly com-

14 pension equal to the entire difference between his
15 average weekly wage before the injury, plus all sub-
16 sequent wage adjustments, and the decreased earnings,
17 but not more than thirty dollars a week; and the
18 amount of such compensation shall not be more than
19 ten thousand dollars.