
By Mr. Christopher A. Iannella, petition of Christopher A. Iannella for legislation to increase benefit payments under the Workmen's Compensation Act. Labor and Industries.

The Commonwealth of Massachusetts

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

AN ACT INCREASING THE PAYMENTS 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 SECTION 1. Section 34 of chapter 152 of the Gen-
2 eral Laws, as most recently amended by section 1 of
3 chapter 520 of the acts of 1949, is hereby further
4 amended by striking out, in line 5, the word "thirty"
5 and inserting in place thereof the word:— thirty-
6 five, — so as to read as follows:— *Section 34.* While
7 the incapacity for work resulting from the injury is
8 total, the insurer shall pay the injured employee a
9 weekly compensation equal to two thirds of his aver-
10 age weekly wages, but not more than thirty-five
11 dollars nor less than eighteen dollars a week unless
12 the weekly wages of the injured employee are less
13 than eighteen dollars, in which case said weekly com-
14 pensation shall be equal to his average weekly wages,
15 but not less than ten dollars where the number of
16 normal working hours of the injured employee in a
17 week are fifteen or more; provided, that the amount
18 does not exceed ten thousand dollars.

1 SECTION 2. The first paragraph of section 34A of
2 said chapter 152, as most recently amended by sec-

tion 2 of said chapter 520, is hereby further amended by striking out, in line 7, the word "thirty" and inserting in place thereof the word:— thirty-five,— so as to read as follows:— While the incapacity for work resulting from the injury is both permanent and total, the insurer shall pay to the injured employee, following payment of the maximum amount of compensation provided in sections thirty-four and thirty-five, or either of them, a weekly compensation equal to one half of the average weekly wages, but not more than thirty-five dollars nor less than eighteen dollars, during the continuance of such permanent and total incapacity. Application for payments under this section may be made by an injured employee before he has received the maximum compensation to which he is or may be entitled under the aforesaid sections.

SECTION 3. Section 35 of said chapter 152, as most recently amended by section 3 of said chapter 520, is hereby further amended by striking out, in line 6, the word "thirty" and inserting in place thereof the word:— thirty-five,— so as to read as follows:—

Section 35. While the incapacity for work resulting from the injury is partial, the insurer shall pay the injured employee a weekly compensation equal to the entire difference between his average weekly wage before the injury and the average weekly wage he is able to earn thereafter, but not more than thirty-five dollars a week; and the amount of such compensation shall not be more than ten thousand dollars.

SECTION 4. The first paragraph of section 35A of said chapter 152, as appearing in chapter 553 of the acts of 1946, is hereby amended by striking out, in line 4, the word "two" and inserting in place thereof the word:— three,— so as to read as follows:—

Where the injured employee has persons conclusively presumed to be dependent upon him, or, in fact, so

8 dependent, the sum of three dollars and fifty cents
9 shall be added to the weekly compensation payable
10 under sections thirty-four, thirty-four A and thirty-
11 five, for each person wholly dependent on the em-
12 ployee, but in no case shall the aggregate of such
13 amounts exceed the average weekly wages of the em-
14 ployee. For the purposes of this section the follow-
15 ing persons shall be conclusively presumed to be
16 wholly dependent for support upon an employee: —

