

HOUSE No. 1530

By Mr. Cahill of Braintree, petition of John W. Cronin that employees of foundries be made eligible to compensation for injuries received in course of their employment. Labor and Industries.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Five.

An Act permitting Employers in the Foundry Business to obtain Workmen's Compensation Insurance.

1 *Whereas*, The deferred operation of this act would
2 tend to defeat its purpose, therefore it is hereby
3 declared to be an emergency law, necessary for the
4 immediate preservation of the public health.

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. Chapter one hundred and forty-nine
2 of the General Laws is hereby amended by inserting
3 after section six the following new section:—

4 *Section 6A.* The department, upon application
5 therefor and after such investigation as it deems
6 proper, may issue to any employer in the foundry
7 business a certificate of compliance with its rules and
8 regulations relative to the installation and/or opera-
9 tion within his place or places of employment of suit-
10 able devices or other means for the prevention of
11 silicosis and may at any time for cause suspend or
12 revoke a certificate so issued.

13 For the purposes of this section silicosis is defined
14 to be that form of pneumoconiosis caused by the in-
15 halation of siliceous dust other than that of asbestos.

1 SECTION 2. Chapter one hundred and fifty-two of
2 the General Laws is hereby amended by inserting after
3 section fifty-two, as appearing in the Tercentenary
4 edition, the following new section: —

5 *Section 52A.* Any insurance company subject to
6 the provisions of section fifty-two shall file with, and
7 in a form approved by, the commissioner of insurance
8 its agreement: —

9 (a) To insure, when ordered by the commissioner,
10 the payment of the compensation provided for by this
11 chapter for any rejected risk as hereinafter defined;

12 (b) To comply with rules and regulations made by
13 the commissioner for the equitable distribution among
14 all such insurance companies of rejected risks and such
15 incurred losses thereon as are in excess of a percentage,
16 fixed by the commissioner, of the premium of each
17 such rejected risk.

18 A rejected risk shall mean any employer in the
19 foundry business who holds a certificate of compliance
20 required by section six A of chapter one hundred and
21 forty-nine and who, having applied to three insurance
22 companies therefor, has been refused insurance for the
23 payment of compensation provided for by this chapter.

24 Failure by any such company to file such agreement
25 within fifteen days after the effective date of this sec-
26 tion or before transacting in this commonwealth
27 workmen's compensation insurance, or failure by it to
28 comply with such agreement or any such rule or regu-
29 lation, shall be cause for the refusal, suspension or
30 revocation by the commissioner of its right to transact
31 said business in this commonwealth.