

By Mr. Phelan of Lynn, petition of the Mass. State Labor Council and Robert G. Phelan that claimants under the Workmen's Compensation Act be authorized to receive full compensation. Commerce and Labor.

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**The Commonwealth of Massachusetts**

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

AN ACT TO ENSURE THAT CLAIMANTS UNDER THE WORKMEN'S COMPENSATION ACT RECEIVE THE FULL COMPENSATION AS PROVIDED.

*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 152 of the General Laws is hereby  
2 amended by inserting after section 7E the following section:—  
3 *Section 7F.* In any proceeding to establish an injured  
4 employee's right to compensation under section thirty-one,  
5 thirty-three, thirty-four, thirty-four A, thirty-five, thirty-five A,  
6 of this chapter, where the employee prevails, there shall be  
7 awarded an amount, in addition to compensation due under said  
8 section, sufficient to compensate the employee for the  
9 reasonable cost of such proceeding, including reasonable  
10 attorney's fees. Such sum for attorney's fees shall be paid in a  
11 lump sum directly to the attorney. There shall be further  
12 assessed against such insurer or self-insurer, as costs of said  
13 claim, reasonable fees and mileages for witnesses attending the  
14 hearing at the insistence of the employee.

1 SECTION 2. Chapter 152 of the General Laws is hereby  
2 amended by striking out the word "sixty" in the first sentence of  
3 section 50 thereof and inserting the word "twenty-one" in its  
4 place, and by striking out the word "six" in the first sentence of

5 said section and inserting the word "ten" in its place, so that the  
6 said section will read: — Whenever compensation is not paid  
7 within twenty-one days of notice to the insurer that compensa-  
8 tion is claimed to be due an injured employee or his dependents,  
9 and there are one or more hearings on any question involving  
10 the said compensation, including appeals, and the decision is in  
11 favor of the employee or his dependents, interest at the rate of  
12 ten per cent per annum from the date of the receipt of the notice  
13 of the claim by the Board to the date of payment shall be paid  
14 by the insurer on all sums due as compensation to such  
15 employee or his dependents. Whenever such sums include  
16 weekly payments, interest shall be computed on each unpaid  
17 weekly payment.