

SENATE . . . . . No. 288

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By Mr. Harmon, a petition of the Massachusetts State Labor Council, AFL-CIO, by James A. Broyer, director, for legislation to create a conclusive presumption in workmen's compensation. Commerce and Labor.

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The Commonwealth of Massachusetts

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

AN ACT CREATING A CONCLUSIVE PRESUMPTION IN WORKMEN'S  
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 Section 7A of Chapter 152 of the General Laws is stricken  
2 and the following new section 7A is inserted in place thereof:—  
3 *Section 7A.* In any claim for compensation where the em-  
4 ployee has been killed, or found dead at his place of employ-  
5 ment or is physically or mentally unable to testify, it shall be  
6 conclusively presumed that the employee was performing his  
7 regular duties on the day of injury or fatality or death or  
8 disability and that the claim comes within the provisions of  
9 this chapter that sufficient notice of the injury has been given,  
10 and that the injury or death or disability was not occasioned  
11 by the wilful intention of the employee to injure or kill him-  
12 self or another.

