

HOUSE No. 1071

By Mr. Kennedy of Brockton, petition of Thomas P. Kennedy for legislation to provide for fair and adequate compensation for partially disabled employees. Commerce and Labor.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE FAIR AND ADEQUATE COMPENSATION FOR PARTIALLY DISABLED WORKERS.

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 is hereby amended by
2 striking section 35 and inserting in place thereof the following
3 section: —

4 Section 35. While the incapacity for work resulting from the
5 injury is partial, during each week of incapacity the insurer shall
6 pay the injured employee a weekly compensation equal to two-
7 thirds of the difference between his or her average weekly wage
8 before the injury, and the weekly wage he or she is capable of
9 earning after the injury, but not more than the maximum weekly
10 compensation rate. The total number of weeks of compensation
11 due the employee under this section shall not exceed five hundred
12 twenty.

